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REAL WESTERN STORIES

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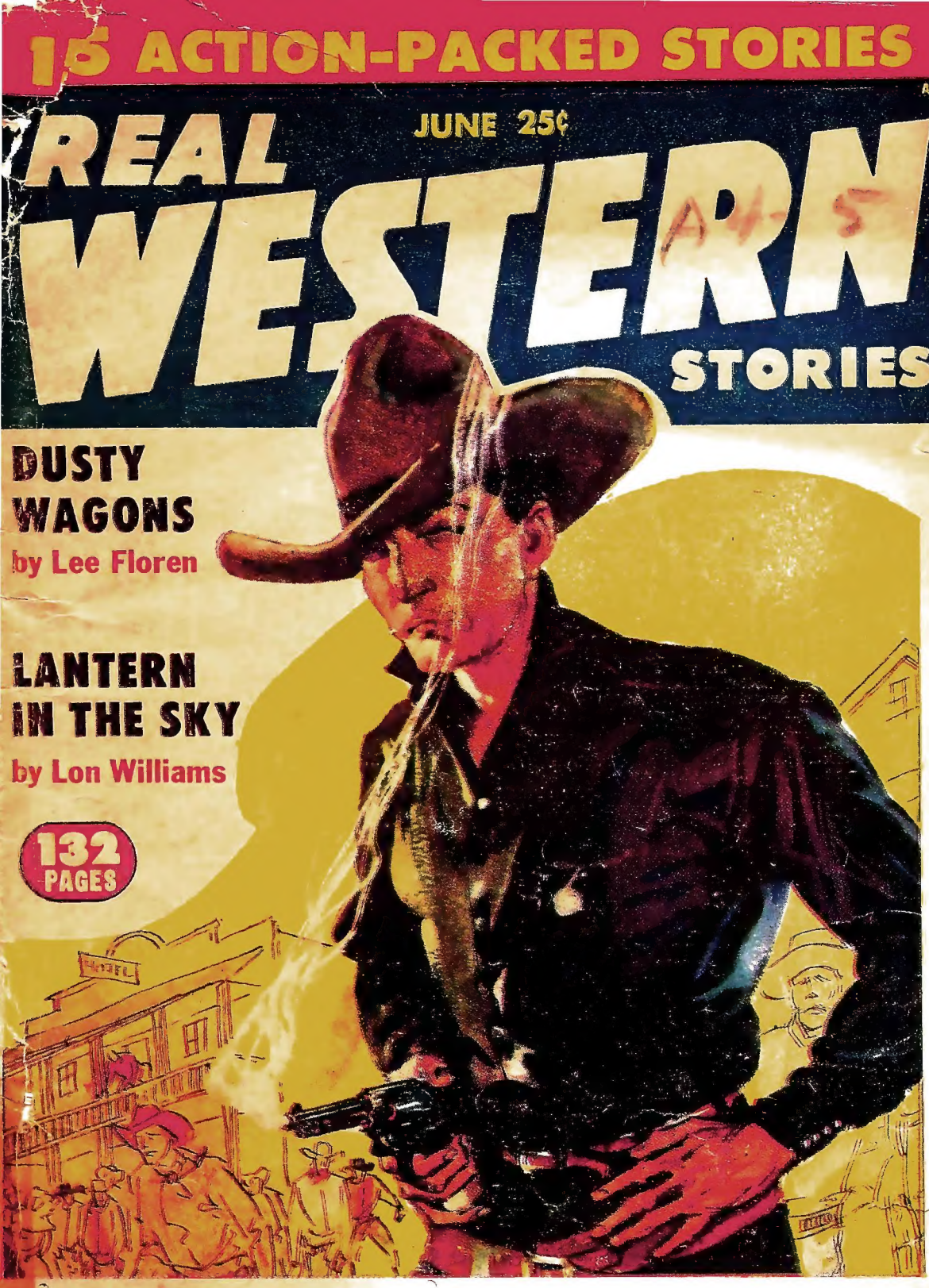
DUSTY WAGONS
by Lee Floren

LANTERN IN THE SKY
by Lon Williams

132 PAGES



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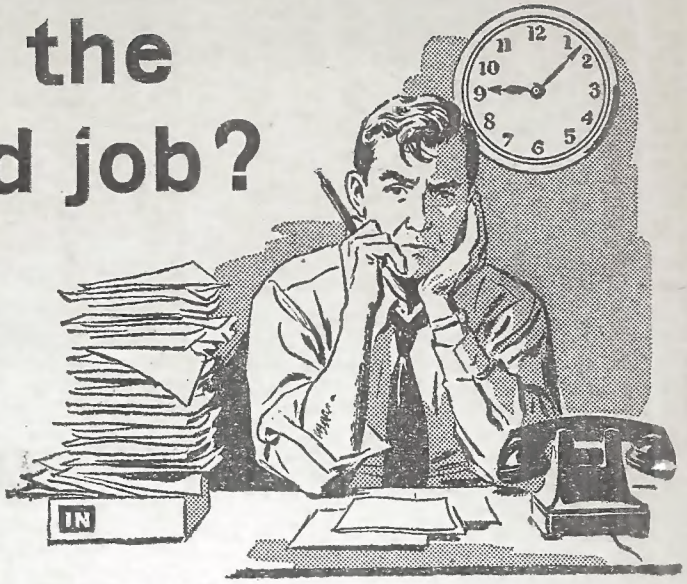

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MARIE ANTOINETTE PARK, *Asso. Ed.* CLIFF CAMPBELL, *Asso. Ed.*

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Bass Fishermen will Say I'm Crazy...

until they try my method!

But, after a 10 day trial, if you're at all like the few other men to whom I've told my secret, you'll guard it with your last breath.

Don't jump at conclusions. I'm not a manufacturer of any fancy lure. I have no rods or lines to sell. I'm a professional man and make a good living in my profession. But my all-absorbing hobby is fishing. And, quite by accident, I've discovered how to go to waters that everyone else says are fished out and come in with a limit catch of the biggest bass that you ever saw. The savage old bass that got so big, because they were "wise" to every ordinary way of fishing.

This METHOD is NOT spinning, trolling, casting, fly fishing, trot line fishing, set line fishing, hand line fishing, live bait fishing, jugging, netting, trapping, or seining, and does not even faintly resemble any of these standard methods of fishing. No live bait or prepared bait is used. You can carry all of the equipment you need in one hand.

The whole secret can be learned in twenty minutes—twenty minutes of fascinating reading. All the extra equipment you need, you can buy locally at a cost of less than a dollar. Yet with it, you can come in after an hour or two of the greatest excitement of your life with a stringer full. Not one or two miserable 12 or 14 inch over-sized keepers—but five or six real beauties with real poundage behind them. The kind that don't need a word of explanation of the professional skill of the man who caught them. Absolutely legal, too—in every state.

This amazing method was developed by a little group of professional fishermen. Though they are public guides, they never divulge their secret to their own tables. No man on your waters has ever seen it, ever heard of it, or ever used it. And when you have given it the first trial, you will be as close-mouthed as a man who has suddenly discovered a gold mine. Because with this secret you can fish within a hundred feet of the best fishermen in the country and pull in ferocious big ones while they come home empty handed. No special skill is required. The secret is just as deadly in the hands of a novice as in the hands of an old timer.

My secret will be disclosed only to a few men in each area—men who will give me their word of honor not to give the secret to anyone else.

Send me your name. Let me tell you how you can try out the secret method of bringing in big bass from your "fished out" waters. Let me tell you why I let you try my method for 10 days without risking a penny of your money on instructions or lures. There is no charge for this information, now or at any other time. Just your name is all I need. But I guarantee that the information I send you will make you a complete skeptic—until once you try it! And then, your own catches will fill you with disbelief. Send your name, today. This will be fun.

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Judge Bates gave a sudden push, and the sheriff fell over the stool that Tobacco Jones had placed behind him.

Who had sent for a gunfighter named Ace Watson, and why had Watson's coming been so well advertised? And why did the description of Watson fit Judge Lemanuel Bates so well?

DUSTY WAGONS

★

COMPLETE JUDGE BATES NOVEL

by Lee Floren

JUDGE BATES was riding his mule across a mountain park when he heard a distant and muffled roar smash against the calmness of the spring day. Probably a gold miner doing some blasting, he thought. But, a few minutes later he stood beside the wreckage of a Studebaker freight-wagon, and he knew then the roar had not been caused by a miner's black-powder.

Dynamite had blasted this wagon off the road, fully a hundred feet above him. Black powder had blown off the outer rim of the mountain trail, making the heavy Studebaker wagon topple downward, dragging its struggling mules with it. The Studebaker carried a load of canned goods, but not a human being was around.

"Anybody around," His Honor called, hands cupped to his mouth. "Anybody need any help?"

He received as answer only his echo.

A canvas tarp torn and ragged, covered the load. The thought came that maybe the driver had been killed and was under that tarp. But that thought was not logical; human hands had unhooked the four mules.

One mule was dead, head bent under

him. One stood with his off-foreleg raised, hoof edge barely touching the ground. The other two watched Judge Bates, long ears swivelled forward.

Suddenly an odd, cold feeling hit Judge Bates. Eyes were watching him. Eyes in the brush. Or was it only a premonition?

Again he called, "A man here to help you." Again, only his echo.

He turned and gave the surrounding brush a deep and intense scrutiny. Surely somebody was around. What kind of a game was this? But nobody came from the brush. He saw nobody. A bluejay talked back at him; the bluejay sat in a pine tree and argued.

Judge Bates scowled, looked at the overturned Studebaker. On its side, painted in gaudy red, was this legend:

TETON FREIGHTERS, INC.
LODGEPOLE, TETON COUNTY
WYOMING TERRITORY
MEL MIDDLETON,
PROPRIETOR

Judge Bates thought, *So Rusty Brant has some competition, huh?* Rusty was two payments behind on his outfit, Wyoming Wagons. Maybe competition was putting Brant out of business?

Behind him, a boot crackled on a twig.

Bates turned, a cold feeling flooding him. He stopped. A man had come out of the high underbrush, and he had a .45 in his fist. But it was the man, not the gun, that startled His Honor.

He looked like an ape with clothing.

He was as tall as an ape; he was as broad, too. He was hairy as an ape. His free arm hung down almost to his knee. His dirty levis were torn on the right leg, showing an area of torn flesh, thick with matted hair. Despite his thick whisker stubble Bates could see a bruise on his jaw. This man, then, had come down off the grade on this wrecked wagon?

Then, upon seeing him, Judge Bates, ride into the park, he had taken to the brush? Bates put his eyes on the .45; the hammer, he noticed, was down. "You don't need that gun, man. I'm not going to cause any trouble. I have no call to cause hell."

A thick tongue slowly wet thick lips. "I've heard a description of this gunman, this Ace Watson." The words rumbled out of his chest cavity. "You fit the description, fella."

Judge Bates shook his head. "I'm not Ace Watson," he said; "I'm—"

He did not get to finish.

"You look like Ace Watson is supposed to look!"

This made Judge Bates a little angry, but he concealed this anger. You don't fly off the handle with the business end of a .45 staring at you—not unless you want to go to the Happy Hunting Ground.

"I'm Lemanuel Bates, judge of the Cowtrail County court, three hundred miles or so southeast of here."

This time a laugh came from the deep cavern. "Hell, you ain't Judge Bates, fella."

"How can you say that, Mr. —"

"McCartney is the name. Monk McCartney; and don't ask how come they nicknamed me Monk. I know Judge Bates."

"You do? Well, I don't know you."

"That's because you ain't Judge Bates. I've seen Judge Bates a number of times in Wyomin' towns. . . last time, down in Rawlins. Rusty Brant is shippin' in a killer. name of Ace Watson. His description has gone around and that description fits you good. Chunky in build. About thirty, mebbe younger."

"Then you don't think I am Judge Bates."

"I know you ain't, Watson. How come you pretend you're Judge Bates? He onct sentenced you or somethin' like that?"

JUDGE BATES gave up. He had early learned there was one thing

a man could not fight—stupidity. He still did not like the looks of that pistol. He made his voice soothing like a mother talking to her little boy. "I take it you rode the wreck down, McCartney?"

"That I did. And it was a rough, rough ride. Your boss—Rusty Brant—had somebody staked out in the brush, his powder under the edge of the road. When my wagon rumbled over, the powder popped. I was on my side of the road, and there still is room enough to pass, I reckon."

"Then, when I rode up, you hid in the brush?"

"I seen you down there in a clearing. Right off I knowed you was Ace Watson. You know, I believe I'll kill you, Watson."

He meant it, too.

"Why?"

"Jes' to rid the world of a worthless killer. From what I hear, you've hired your gun out all your life. . . and a man can get no lower than that, in Monk McCartney's book."

Up to now, Bates had been angry. Now his anger turned to alarm, and the alarm became a cold blade of fear. This man meant what he had said.

Bates kept his eyes on the .45. The hairy fist held the big gun with rock-steadiness. When he spoke, his own voice didn't sound right. "Why would this Rusty Brant fellow—whoever he is—send out for a gunman?"

"Brant owns Wyomin' Wagons. He's fightin' my outerfit, Teton Freighters. But, hell, you know that, Watson."

"You still think I am this Ace Watson?"

"That I am positive of."

Bates had another thought. He glanced at his whiskey jug tied to his saddle. "Before this execution squad swings into action," he said, trying to make it a joke, "how about giving the doomed man a drink of his own whiskey?"

A pound of beefsteak came out, red and wide, and licked cracked, block-like lips. "You got whiskey in thet jug?"

"Judge Bates always carries a jug of whiskey."

Again, that rumble, meant to be a laugh. "You made a error there, Watson. Bates never drinks."

"You tricked me again," His Honor said, humoring the man. "You look like you could stand a drink yourself."

"I sure could. That ride down this mountain kinda jangled me up. Untie your jug, but don't reach for your rifle in thet saddle-boot; an' don't reach for your gun, either."

"I pack no gun."

"You got a gunbelt on." Monk moved over and flipped back His Honor's coat, using the barrel of the .45 to move back the flap. "Yeah, your holster is empty."

"Got tired of packing the heavy weight," the judge said, "so put it in my saddlebag."

"Be careful then around thet saddlebag."

"Not on this side," the judge said; "on the other side."

"You still be careful."

Bates untied the jug; Monk McCartney, wetting his thick lips again, moved closer and, for a moment, vigilance left the man. At this moment, Judge Bates swung the jug, a prayer on his lips.

Forefinger secure in the handle, His Honor pivoted, the heavy jug swinging. McCartney flung up his right forearm. The jug hit him on the side of the head and knocked him down.

Judge Bates moved in, elation firing him.

McCartney kicked him in the belly; then Bates' boot ground on the man's wrist, smashing the sixshooter out of his grip. McCartney, sitting there had kicked him hard; nausea overwhelmed the judge, but he had the gun, and he was safe.

McCartney lunged to his feet, roar-

ing like a wounded bull. Judge Bates sidestepped the man's wild charge. Sunlight glistened as the .45 came down; then, Monk McCartney was out cold, limp on the beargrass.

Judge Bates panted. He sucked in the cool mountain air; the pain left his belly. That kick had almost knocked him down.

Suddenly, he glanced at the mules.

They had their ears up, but they were not looking at him. They were looking at somebody behind him. He turned.

A woman had come out of the brush. She was young and she wore levis and a man's blue shirt. She filled both perfectly; she had a slim length of pine club.

Judge Bates tried to duck. He was too slow.

"Oh, we're ridin' into Lodgepole town,
A ridin' high an' in style—"

JUDGE BATES said, "My head aches."

"We're goin' do the burg up brown—
A shootin' all the while!"

"Shut up that song," Bates snapped.

"He don't cotton to our singing," the man said.

Bates thought, *I'm in a stagecoach. Last I knew that girl slugged me.* He was sitting beside a woman, he realized; but his interest was centered on the man who was singing and who sat opposite him.

This man was about fifty; short, thin, wiry. The first thing the judge noticed, despite his dazed condition, was that the man had about his small person an air of hardness. The second thing was the eyeshade.

A green eyeshade, plainly out of place in this country. Made of celloloid, a leather strap around the man's head, it was definitely meant for a desk, not a stagecoach ride.

"Quit that yoweling," Judge Bates said.

"You can't order Benjamin Milton around—"

The judge grabbed the protruding bill of the eyeshade, jerked it down hard and with finality to lodge it under the man's long nose. The man bent his head forward. The judicial knee—the right one—reared up and hit the nose. The man yowled in pain and straightened, struggling with his eyeshade.

"My...nose!"

Bates smiled, despite his headache. Next to him the woman giggled. His Honor sent her a glance. Two young women, in fact, were seated next to him. He returned his attention to Benjamin Milton, who had his eyeshade in place, and was feeling gingerly of his nose.

"Judge Bates, you're a man of violent moods, sir."

"How did you know my name?"

"We found you cold back on the grade. Your mule is coming in, tied to a freight wagon. We went through your pockets and found your indentification. What happened to you?"

"Mule threw me. Knocked me cold on a boulder, I reckon." Gingerly Bates pushed back his flatbrimmed hat and felt of the goose-egg. That little mama sure had handled that club nicely! "What's your job?" he asked of Benjamin Milton.

The man was a newspaper reporter, he related, going to work on the *Lodgepole Ledger*. Again, this seemed out of place, too— Bates had a hard time reconciling himself that this was a newspaperman. Again, he got the feeling of hardness, of danger.

"Somebody blasted a Teton Freighter wagon off the road," the reporter said. "Right about where we found you, Judge. We had room to get by, because the blast just took off the outer rim."

"A story already," the judge said.

The driver, who heard their conversation, called down, "Rusty Brant

will get the blame, but Rusty or any of us men never did it, Your Honor."

Bates realized he was riding in one of Wyoming Wagons' stagecoaches; he decided to play dumb. The driver told him more— Rusty Brant was fighting Mel Middleton's outfit for passenger and freight hauling. Also, Rusty Brant was in bed; he had been shot from ambush.

He had been in bed, laid-up, for almost a month; nobody knew who had shot him. The driver said no more. His attention was given to his four-horse team. They were threading the side of a mountain, below them was a deep gorge. Very deep, lined with fir and spruce.

"Oh," the girl said, "what if we slipped."

The other girl said, "I looked down once, but not again."

The girl sitting next to Judge Bates put her head on his shoulder, her little hands locked tightly in her lap.

"You're a lovely girl," Judge Bates said.

She smiled at him, green eyes glistening. "Mitzi and Peg. I'm Mitzi. Can-can dancers going to Lodgepole to dance at the *Broken Pick Saloon.* Sometimes the law raids our dance; we might be up before your bench, Judge Bates."

"I'd sentence you both to the same cell, and then move in with you."

"Gee," she said, "that would be nice."

She kept her head on his shoulder; he liked her perfume, and her hair smelled of health and grooming. "But I am not to be judge in Lodgepole," His Honor said. "The judge there is Judge Ezra Hammerburg."

"He's in bed, too," the driver hollered. "Shot from ambush, too, like Rusty."

Judge Bates said nothing, hiding his thoughts. His mind went back about two weeks to his judicial chambers in his home bailiwick.

- 2 -

TOBACCO JONES, his postmaster partner, had bit off a fresh chew. "Judge, I'm worried about Rusty Brant. He ain't sent us the last two payments, and he owes us around ten thousand we lent him to start his freight outfit in Lodgepole. When will this spring session of your court be over with, Bates?"

"About ten days. No, a week; I'll push the cases."

"I'm saddlin' my mule. Gettin' my fishin' gear an' yours on my pack mule. Headin' for Lodgepole. You leave here when you clear your docket, huh?"

"Meet you in Lodgepole."

By now, Tobacco Jones should have reached this boom mining town, and he would have additional information for his partner.

They went down a grade, skidded around a corner, and the main street of Lodgepole was ahead.

Mitzi smiled. "Thanks for your shoulder, judge."

"Any time you want to use it again, look me up."

Suddenly he glanced at Benjamin Milton. There was, in the runt's dull eyes, a hard, glazed look. When he was aware Bates had seen this look, he shoved it out of his eyes, and his thin lips smiled.

"Sorry I got off on the wrong foot, Judge Bates."

Gravel gritted on steel rims and the stage swung into a U drive, stopping in front of a long log building that bore the legend: *WYOMING WAGONS, INC., Rusty Brant, Owner.*

The girls got out first, with Judge Bates admiring four pretty trim ankles. Benjamin Milton followed him. They

were in an area of great altitude, the air was cool and thin; this town, situated on this high mountain mesa, boomed and roared and surged. The winding mainstreet consisted of tents, log buildings, and a few frame buildings.

"See you again," Mitzi said.

She and Peg started toward the *Broken Pick Saloon,* which was down the street a few doors, its big sign protruding out over the plank sidewalk. Judge Bates looked at the office and buildings of Wyoming Wagons. The spread was half a block wide and went back to the alley. Made of peeled pine logs, these logs had been varnished; they glistened. Rusty Brant had prospered or had borrowed money other than that lent him by the judge and Tobacco Jones, His Honor figured.

He started toward the office.

Suddenly, he halted, muscles freezing. A voice from behind had halted him. Harsh, rough, hard, that voice. "Stand where you are, Ace Watson. Raise them hands up. Then, turn around, and go to jail with me!"

The entire audience seemed frozen, a part of this tableau. Peg and Mitzi had stopped, staring at them; Benjamin Milton stood and watched, and Judge Bates saw something move across his thin, wicked-looking face.

Bates wheeled around. He saw a short man with a belly as big as a beer-pony. Around this belly was a wide gunbelt and a holster...now empty.

That was because the man held a .45 on Judge Bates.

JUDGE BATES looked past the big gun. He saw a wide and beefy face with hanging jowls and pale eyes. "Why the .45 on me?"

"I'm Sheriff Issac Ellison; you're nobody but Ace Watson, fella."

Again, Ace Watson. Bates said, "I'm Judge Lemanuel Bates of the Cowtrail Bailiwick, Cowtrail."

"You're Ace Watson, the gunman... the killer. Word got around you was comin' in to sling a gun for Wyomin' Wagons; your description come ahead of you. Come with me to the clink and the next stage out finds you on it."

"I have my identification, sheriff."

"Show it to me...in jail."

Benjamin Milton cut in with, "His credentials say he is Judge Bates."

"Credentials can be stole," Sheriff Ellison thundered. "Who the hell are you, you banty rooster?"

"I'll disregard your insults," the reporter said, and told him who he was. Sheriff Ellison said, "Get about your business, or you go to the clink, too, along with this killer."

Benjamin Milton smiled, but behind that smile was not amusement...there was a hint of danger. But the reporter said nothing.

A man—thin and young—stood at Ellison's left, just behind his range of vision. Tobacco Jones winked at Judge Bates, who kept a solemn face despite his pleasure at seeing his partner. Tobacco held the footstool which he had picked up beside the open door of the stage.

Ellison snarled, "Get along ahead of me, Watson."

Tobacco Jones placed the footstool behind Ellison. Then the Cowtrail postmaster screeched, "B e h i n d you, sheriff!"

Ellison started to turn his belly.

Bates moved in, grinning satanically; he pushed the big belly hard. Ellison fell backwards over the stool. Tobacco Jones kicked the man in the wrist, sending the sixshooter skidding across the gravel, and Judge Bates picked it up. That happened in a hurry.

Bates juggled the sixshooter, said, "Thanks, Tobacco."

"You can do the same for me some day, Bates."

"Be glad to, Jones."

Sheriff Ellison, wearing a stunned look, got to his boots, lifting his belly

up with him. "You two—know each other?"

"He's my partner, Tobacco Jones. I am, sir, for the last time, Judge Lemanuel Bates, and not Ace Watson —whoever the latter personage is."

From out of the crowd came the trembling voice of an aged woman. "That sure is Judge Bates, you dumb sheriff. I used to live in Cowtrail. You remember me, don't you, Judge."

Judge Bates doffed his hat. "I certainly do, Grandma Webster. You came here to live with your daughter, Margaret, I believe?"

"That I did, Judge Bates."

Benjamin Milton said, "Another story for my paper."

Sheriff Ellison looked at the old woman, then at Judge Bates. He brushed dust from his baggy old pants.

"Sorry we had to treat you so rough, sheriff," the judge said.

"I jumped to conclusions," the sheriff said. "I'm danged sorry, men. I feel...ah, sick; I got to set down. I'm headin' for my office."

He swung his belly, pushed it through the crowd, and went down the street. Somebody hooted; a man laughed; a woman giggled.

"You sure took him down a notch," Benjamin Milton said. "But it looks kinda bad for a judge pushing down a sheriff, don't it?"

"Get out of here."

"Okay, okay."

The little man, eyeshade and all, crossed the street, for a building over there had a sign over it: *LODGEPOLE LEDGER, a free newspaper.*

Judge Bates said, "Come along, Jones."

They went toward the *Broken Pick Saloon.* "You've been in trouble, Bates," the gangling postmaster said.

Judge Bates told him about being slugged. "How long you been in this burg?"

TOBACCO had hailed into Lodgepole the previous night. To this news Judge Bates expressed surprise; by all rights the man should have been here about a week or so. Tobacco disclosed he had been in no hurry and had fished in the back country, even visiting at the home of a rancher he knew, far off the beaten trail.

"Have you seen Rusty Brant yet?"

The postmaster spat a stream of brown juice. "Not yet. He's in the hotel, they tell me; in bed. I bedded down in the haymow of the liverybarn last night. Why are we going into this saloon?"

"To replenish my jug."

"The curse of mankind," Tobacco Jones murmured.

The *Broken Pick* was a big spread. High ceiling, beamed with native logs, long and dark, with sawdust on the floor. The long bar, running almost the length of the north side, was busy with drinkers, of which there were many.

Bates saw a door at the far end, and guessed that behind it was the office of the owner, for the door had some letters on it. Because of the distance, he could not read them, but he was not interested. Down the bar about forty feet Mitzi and Peg talked to a heavy-set man. This man was big, and "big" fitted him. Not the overwhelming bigness of Monk McCartney, but the brutal bigness of a man who took what he wanted when he wanted it.

Now he came forward, shaking hands with them.

"Alex Ironmonger, Your Honor. I own this saloon. I saw your run-in with the sheriff. He's been...er, looking for it, if you pardon my saying so."

"Hard words to say about an elected officer."

Judge Bates saw a hardness touch the thick lips. Momentarily, then, the rugged face showed anger; this left

before the sternness of inner discipline.

"Each word is the truth, Your Honor. May your stay in our town be a good one, sir. Now, excuse me, for I have to talk to these about their routine. I shall see you two again." He walked away, broad back toward them.

"He's a hard man," the judge murmured.

Tobacco Jones said, "Takes a tough one to run a joint like this in a town like this. Bet he makes a lot of money."

The bartender put out some samples, the judge tasted these, and then ordered his jug filled with Old Orchard. Alex Ironmonger left the two can-can girls and went into his office. Bates saw the interior of the office for a moment, glimpsing a desk and some chairs and a sofa. Then his attention was taken up by Mitzi and Peg, who came over to them.

"Gee," Mitzi said, "you two sure tricked pot Belly."

"Such language," the judge chided, smilingly.

Peg looked up at the gangling Tobacco Jones. "You're cute," she purred.

Tobacco Jones shifted his chew. "I'm not cute," he said; "I'm ugly. My nose slants the wrong way. What little money I got, I aims to hang onto."

"Thanks for the warning." Peg smiled. "I still think you're cute."

Tobacco Jones grinned, then scowled.

Mitzi said, "See you later, men," and then, to Peg, "He's pink behind the ears, honey; we'd best look over our dressing rooms?"

Peg said, "Goodby, Tobacco."

They left them. Tobacco Jones grunted, "They sure look nice from the back, Bates. But...just two dance-hall floosies."

"Some of them," the judge said, "have made fine wives, Tobacco."

"Them was the exceptions."

The judge paid and picked up his jug by the ear. "We'd best look up Rusty and get to the bottom of this."

"Good idea."

THEY WENT outside. Judge Bates stopped. Two riders astraddle mules wearing harnesses had ridden up to the front of the office of Teton Freighters. One was an ape, dressed in men's clothing. The other was a girl.

She dismounted at this moment, graceful despite the fact she was not leaving a saddle—she was climbing off the mule, using the tug as a stirrup to brace her pretty body. She dismounted and looked at Judge Bates across the street.

Their eyes met.

Judge Bates said, "Hold my jug," and he crossed the street. She watched him; the ape watched.

"You lost your club, Miss Middleton," the judge said. "Or did you throw it away...after breaking it over my skull?"

His tone held irony.

She watched him, lips parted slightly. McCartney opened and closed his huge hands. Dried blood was on the beefsteak-thick lips.

Judge Bates saw that his first impression of her, although only a flash in the pan, had proven right. There was a lot of woman here—beautiful woman, too. Her shirt rose in the right spots; her levis were tight on full thighs. Judge Bates took his gaze from these intriguing points and looked at her brown eyes.

He had expected them to be stern. Here, he was wrong; they seemed to be laughing at him.

"How did you find out my name?"

"Asked a few questions, in the stage. Thanks for your kindness in toting me up on the grade."

"Monk wanted to kill you."

"Monk might get killed." The judge looked at the ape.

"You won't kill me," Monk McCartney muttered.

"We were wrong about you," the girl said. "We looked in your wallet; we found your identification papers." Her eyes glistened with merriment. "First time I ever slugged a judge, although I've wanted to a number of times."

"I might file a warrant against you."

"You won't," she said. "You're not the type to appeal to the law; you're the type who fights his own battles."

"You'll have a battle with me," Monk rumbled.

"Any time," Bates said, "any time..." He turned his attention to the girl. "I take it, then, you're the daughter of Mel Middleton, owner of Teton Freighters?"

She shook her head, curls moving. "I *am* Mel Middleton," she corrected. "The Mel is short for Melissa."

The judge hid his surprise. "Melissa..." he murmured. "From the Greek, meaning Bee, and in Latin, meaning Honey. A lovely name, Miss Mel."

"Did you come to flatter me...or argue with me?"

Judge Bates realized he was coming out second-best. "Let's talk in your office. Too many eyes—and ears—out here."

They went into her office, Monk McCartney lumbering, with Judge Bates and Tobacco Jones following the human ape.

Bates said, "Tobacco Jones and I staked Rusty Brant. Now you claim one of his men dynamited your wagon off the grade, Miss Middleton."

"Who else would do it?" She answered that herself. "Brant's outfit, of course. Crippled one of our wagons, almost killed Monk. Killed one of my mules."

Bates looked at Tobacco, who chewed with a deadpan face.

"Brant hauled into Lodgepole before you moved in, didn't he?" the judge asked.

"That makes no difference. This is a free country, judge. I have no proof a Brant hand dynamited that road; I'll admit that. But the signs point toward Wyoming Wagons, and to no other direction."

Judge Bates said, "Glad to have met you *this* time, Miss Middleton. I'll not swear out a warrant because you made a logical mistake." Suddenly his voice hardened. "Do you think Rusty Brant sent out for this killer, this Ace Watson?"

"Rumor claims he did."

"Rumor is many, many times wrong."

"We'll see...when this Watson gent gets into town."

"His description, then, fits me, huh?"

"Yes, the way I heard it."

"Where did you hear it?"

"Everybody in town knows what he looks like; I don't know who started that, either."

"Good day," Judge Bates said, and he and his partner left.

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OUTSIDE on the plank walk awaited Peg and Mitzi. "We got the jobs from Ironmonger," Mitzi said.

Peg moved in close to Tobacco.

Bates looked down at the can-can dancer. "You're sure a little runt," he said. "Will you grow any taller?"

"I won't grow up," she said, "but I might grow out."

Judge Bates said, "You girls, both of you—on your way. We got a job to do."

"I don't want to go," Mitzi pouted.

Judge Bates and Tobacco Jones crossed the street. A stagecoach came in, scattering people; they jumped

onto the sidewalk. The stage belonged to Rusty Brant's outfit.

"Sure must haul lots of passengers," Tobacco said. "You know, let's visit Rusty's outfit later on, Judge; I'm plumb gaunt an' hungry."

"We'll eat at the Town Hotel, down the street, and then get a room," the judge said. "They tell me Rusty is in the hotel."

"Let's eat first."

They got one of the two rooms that were vacant. Then went into the beanery and ate. From the clerk they learned the number of Rusty Brant's room and they went up the stairs, down the hall, and Judge Bates knocked on the door.

"Who's there?"

"Bates...and Jones."

A pause. Then, "Come in, men."

First, you saw the mop of brick-red hair that had given him the name of Rusty. Then you saw blue eyes, some freckles across his nose, and a wide smiling mouth. *Four years have changed him little,* Judge Bates thought.

"How come you two ride in from Cowtrail?"

Bates wagged his head in mack disgust. "Rusty Brant, don't you ever pay your just and honest debts?"

"Sure, when I have the money. Figgered you two might head in. Shucks, this man is so broke he's walkin' on his ankles."

Judge Bates winked at his partner, a gesture not seen by Rusty. "Reckon we'll have to foreclose and run the spread ourselves, Tobacco." Then, to Rusty: "Who shot you, and where in your anatony?"

"One of them Middleton hands shot me!"

"You got proof?"

"No, but..."

"Then don't make such a statement!" Bates' voice was stern. "Make no accusations that are based only on speculative evidence. We have met Miss Middleton; she seems very competent." Bates almost winced. His head still ached.

Tobacco Jones asked, "Where did the lead hit you?"

"Lower ribs, right side."

Judge Bates lowered his jug. He offered a nip to Rusty. Rusty wanted but a little drink, he said. Whiskey gurgled down his throat; he must have killed almost half a pint, His Honor figured. He then told about the stage- and freight-war. Judge Bates listened, doing some thinking.

Rusty Brant was only a few years younger than he. He had wandered into Cowtrail, had become a dishwasher in a cafe, and, with money he had saved, had bought a horse and wagon, starting the Cowtrail Dray Line. When gold had been hit at Lodgepole, Rusty had borrowed ten thousand, had moved into the Tetons and had started his freight line. At first he had made regular repayments; now, counting interest, he owed them still about the same sum, the original ten thousand.

Bates reasoned, I really don't know much about this man.

"When will you be perk enough to climb outa bed?" Tobacco Jones wanted to know.

"I think in about a week."

"*You* think," the judge said. "What does your doctor say? His word counts, not yours."

Rusty grinned boyishly. "I ain't got no doctor. Most docs are quacks. I believe in mental power—mind over matter. Alex Ironmonger—he owns the *Broken Pick Saloon*—he's teachin' me about mental power."

Judge Bates almost gave an exclamation of surprise. This did not seem logical. The Creator, he knew, had not blessed Rusty with too much brains. Yet, here he was—talking about mental healing.

Tobacco Jones said, "Well, I'll be hanged."

WITHOUT warning, the door popped open, and in popped the weasel-like head, eyeshade and all, of one Benjamin Milton. "Goin' write a feature story on Rusty Brant."

Anger touched Bates. "Don't you ever knock?"

"You forget, Judge Bates, that I am a newspaper man. The power of the press, sir, is very, very— Hey, what the hell?"

Judge Bates had bodily picked him up. He carried him down the steps and threw him out on the porch, the clerk watching in amazement. Benjamin Milton got to his feet, adjusting his eyeshade.

For a moment, he said nothing.

Again, Judge Bates got the impression of ugly hardness within this small man. This glistened, momentarily, in his eyes. "I should get a gun and kill you, Judge; but Monk McCartney might relieve me of that chore. He's in the *Broken Pick* getting drunk. He sees the image of a local jurist in his glass."

"He knows where I am," the judge said.

Angrily the little man went into the crowd. Judge Bates went back to Rusty Brant's room.

"Who was the little gent?" Rusty asked.

Judge Bates told him. Suddenly he asked, "How come you send out for a gunman named Ace Watson?"

Rusty looked at him steadily. "I never sent out for no gunman," he said emphatically. "Mel Middleton might have, but I never; I think thet lie comes right from her pretty lips."

Bates nodded. "Something sinister is behind it. They mistake me for this Ace Watson killer; Mel Middleton claims you're importing him to sling a gun against Teton Freighters."

"Another one of the female's danged lies!"

Bates cocked his head, listened. "Somebody is coming up the stairway," he said. "Sounds like a small person. Bet that nosey reporter is coming back again. I'll fix him."

He went out into the darkened hallway. He hid in the doorway of his room which was across the hall and down two doors from Rusty's room. When the footsteps were opposite him he saw the dim outline of a small form and he lunged ahead and wrapped his arms around the person.

"This time I'll fix you for good— Holy Smoke, Mitzi!"

Mitzi was scared stiff. Still, she remained in his arms. "What is wrong with you, Lem?"

Lem, eh?

"I figured you were somebody else."

"Another woman? You work fast."

"No, a man."

"Do you go around hugging... men?"

Judge Bates grinned. This town was full of frosty females. He kept his arms around her. She looked at him and smiled. Her perfume was nice; it fitted her. "You sure feel right nice in my arms."

"I—like it, Lem." She put on the pressure at the right physical points.

"What are you doing here?"

"I'm trying to get out of the can-can line. I'm a nurse—not a good one, but I've had practice. So, thought I'd try to get the job nursing your friend Rusty. He might need a good nurse—"

"What's going on here?" a rough voice suddenly asked.

JUDGE BATES almost jumped. He had not heard boots or shoes come in behind him. That meant, then, somebody had silently opened a door, and now stood in the hall. He recognized the voice, then.

He turned.

"What the hell is wrong with you, Ironmonger? Coming in behind two people this way—you scared this girl half to death!"

Alex Ironmonger oozed apologies. He had not recognized the judge. He had figured the embracing couple had been a man and his wife in the next-door room—he lived here in the hotel, too, he pointed out. He was sorry, terribly sorry.

"I was merely joking, Judge Bates."

Bates said, stiffly, "You have an odd sense of humor."

"Don't rub my fur the wrong direction."

"You and Sheriff Ellison have lots in common. He sneaked in behind me, too. I might have turned with a gun in my hand, if this girl hadn't been in my arms; and the gun might have been talking."

They looked at each other.

Something moved in the air of that darkened hotel hallway. Something silky, something black, something shiny—and that something was Death.

Their hate was born here in this hallway. "I might have a gun, too," Ironmonger said smoothily.

Anger ran out of Judge Bates. "That is your right," he said.

Ironmonger changed the subject. "You have been visiting young Rusty Brant, I suppose?"

"You have a hard hold over him."

The thick brows rose. "What do you mean by that, Your Honor?"

Mitzi watched, her fear gone.

"He told me about you and your philosophy of mental superiority—that mind is master of flesh. Have you seen his wound?"

"Yes."

"How is it healing?"

"Wonderfully. Human flesh is mere weak matter; his sheer will power, properly applies, has kept back dangerous infection."

"Good."

Ironmonger looked now at Mitzi. "What are you doing here?"

Judge Bates answered that. "I just hired her to nurse Rusty. I was going to the lobby to rent a room for her when you interrupted us."

"Don't you intend to dance at my saloon?"

"I can't, now."

"You have to. I contacted you through an agency; you have to comply with the terms of our contract."

"You can demand, and be damned," Mitzi said.

Ironmonger studied her. "Impudent little snip," he said, and pressed it no further. "Good day, Judge Bates."

He went down the hallway, turned the corner. They heard his boots move down the stairs to the lobby.

"His face," Mitzi said. "It glistened with hate."

Judge Bates smiled. "He doesn't like me," he admitted.

They went to Rusty's room. There Bates introduced Mitzi as Rusty's nurse. Rusty, he figured, should have been happy—Mitzi was a beautiful young woman, an asset to any sickroom; instead, Rusty scowled.

"Don't need no nurse," he grumbled.

"You got one now," the judge said. He and Tobacco went outside; Mitzi followed them. Judge Bates pressed her hand. "Keep your mouth shut, your eyes open, and you ears pinned back, Mitzi."

She understood. "For you, yes, Lem."

They went down the hall. *"Lem,"* Tobacco Jones scoffed. "Not *Lemanual,* just *Lem.* You goin' marry her, Bates?"

"I might."

THEY WENT out on the sidewalk. Tobacco Jones jetted tobacco-juice and narrowly missed a drunken miner.

"What weighs on the judicial mind, *Lem?"*

"Judge Ezra Hammerburg."

"He's supposed to have been shot from bushwhack, too; wonder why he done got plugged?"

"I don't know."

"Wonder where he lives?"

Judge Bates hailed a passing house-

wife who had a market basket on her arm. She directed him to Judge Hammerburg's residence. They went down the main drag and Tobacco Jones asked, "What do you know about this Hammerburg son, Lem?"

"Very little. Met him a few times at judicial conventions. He's never married, he's about fifty five. Sober, doesn't smoke, doesn't drink. Never chases skirts, either, somebody done said once."

"Good man, eh?"

"Must be something wrong with him; a man with no vices is a man to suspect."

"And he must lead a dull, uninteresting life, too."

They came to Wyoming Wagons. Sunlight glistened off the peeled and varnished big logs.

"Let's look Rusty's joint over first," Tobacco Jones said.

The building was about ninety or a hundred feet long, Bates guessed. The office was on the south end. On the north end was a high archway. Through this archway rigs and wagons could go back into the stable area. The judge and his partner entered under the archway. They came into a compound filled with wagons; they looked at these wagons and coaches.

Good stock. All painted, greased, taken care of. This done, they entered the barn by the sidedoor. Stalls held mules and horses. Good mules, long of legs, wiry; heavywork horses, thick of thigh, strong and sturdy. Harnesses were well-oiled, showed signs of good care.

Judge Bates said, "How much would this outfit sell for, Jones?"

"About fifty thousand, I'd say."

"And Rusty said he was broke. Well, he might have put all his income back into his outfit."

"Which is a good idea," the practical postmaster said. "Let's go into his office and look at his books?"

"We'll do that."

THE OFFICE consisted of two divisions: the office proper, with a roll top desk and another unit, the two divided by a wall about six feet tall—beyond this wall was the waiting-room, and now two people—a skinny man and a fat woman—sat on the bench, awaiting a stagecoach.

"No safe in here," Tobacco said.

"Just the desk and a filing cabinet, eh? Wonder where he keeps his money?"

"Prob'ly in Ironmonger's bank."

Judge Bates looked at his partner. "Ironmonger owns the *Broken Pick Saloon,*" he pointed out.

"Yes, and the First National Bank, too. He came here just when the boom started, they tell me; got in on the ground floor. Holds mor'gages on lots of property, I understand."

"The spider in his web of iniquity," the judge murmured.

There were no ledgers or day-books around. They found not a bit of bookkeeping, although they went through the desk drawer by drawer. They then turned their attention to the file but found no trace of bookkeeping in its wooden interior. The judge became aware that a man stood in the back door and watched them.

"What the hell you two doin' in here?" the man asked sharply.

Judge Bates asked, "Where does Rusty Brant keep his books?"

"What is it to you, stranger?"

"I'm Judge Lemanuel Bates; here is my partner, Tobacco Jones. We got a mortgage on this outfit. Now who the heck are you?"

"Jack Smith." The arrogance melted like snow hit by a blowtorch. "I'm in charge here, what with Rusty bein' in bed ailin'. Rusty don't keep no books, Judge."

Judge Bates frowned. "Then how does he know whether or not he makes any money?"

Jack Smith explained that. Each evening before the bank closed all the money in the till was carted to

Ironmonger's bank. Then Rusty wrote checks against whatever sum he had on deposit.

"Some way to keep books," Tobacco Jones said. "If I did that the postoffice inspector would jug me."

"Your mule come into town," Jack Smith told the judge; "he's in a stall now eatin' hay."

"I saw him back in your barn."

"He seems mighty gentle to me, Judge, but sometimes the gentle mules is the ones to watch. So he shied an' threw you into a boulder, eh?"

"Knocked me cold," the judge lied.

He and Tobacco Jones went outside.

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EVIDENTLY the mines were changing shifts. Miners, carrying lunch pails, went by. Up on the mountain, a muffled roar sounded; blasting powder, ripping at the earth's rocky entrails. Much freight had to be hauled into this town. Many passengers came and went. Surely there was enough business to support two stage-and freight-lines?

"There's Miss Middleton," Tobacco grunted.

Melissa Middleton had just come out of the Mercantile, carrying a paper sack. Her eyes sparkled, her white teeth glistened.

"Have you forgiven me, Judge Bates?"

Judge Bates turned his flat-brimmed hat slowly in his fingers. Here was a picture of loveliness. Almost as lovely as Mitzi, in a different manner—of course.

"I might have," he evaded. "And then again, I might not have."

"Oh, don't be the type to pack a grudge!"

Suddenly His Honor asked, "I wonder who shot Judge Hammerburg, and for why?"

She watched him with a level gaze. "I don't know. But I do know one thing—none of my men shot him or Rusty Brant."

She went into the throng.

"Melissa," Tobacco Jones murmured. "Music in that name, Bates. How come you happen to know it means *Honey* in Latin?"

"All judges have to be scholars in Latin."

"Hogwash!"

Through the crowd came the big form of Alex Ironmonger. "Thought I'd warn you, Judge. Big Monk McCartney is in my saloon drinking; he's making fight talk against you."

"Thanks."

The man moved on. Next came Sheriff Ellison, pushing his belly ahead of him. He fawned like a pot-bellied collie. If he had owned a tail, he would have wagged it. "Sure sorry I jumped you, Your Honor. But a mistake is a mistake; we all make them, huh?"

"We sure do."

"Reckon you've done had a gabfest with Rusty Brant, eh?"

"We talked to him. Who found Rusty after the shooting?"

Alex Ironmonger had found the man; he had got him into bed right away. Rusty would not let the local medico look at him. This, of course, was no news to the Cowtrail partners.

"You don't know who shot Judge Hammerburg, either. Or for why somebody plugged His Honor."

"A judge has lots of enemies," Judge Bates said. "Evidently Judge Hammerburg has had a full docket since this boom broke loose. Somebody might have come back to get even with him."

Benjamin Milton, eyeshade and curiosity both sticking out on him, listened from a safe distance, keeping a hard eye on His Honor.

"What are you doing here?" the judge demanded.

"Listening. Might get a feature sto-

ry. Where you are, Judge Bates, there is always a story, it seems like."

"I'd like to get you out in the brush," Judge Bates said.

"Why?"

"To twist your head off your neck."

"I don't pack no grudge," the reporter said. "Bygones is bygones to me; could I travel with you a spell?"

"Sure."

THEY WENT down the street. Tobacco talked in a low voice that Milton could not comprehend. Rusty's outfit was worth much more than ten thousand. Maybe Rusty had borrowed more money—there was a second mortgage on the freight line?

"There couldn't be," the judge said. "If there were, we, holders of the first mortgage, would, by law, have to be notified by the local recorder when the instrument was recorded, and it would have to go on record to establish legality."

"What you two talking about?" Benjamin Milton queried.

Judge Bates said, "This," and pulled the eyeshade down over the long nose. The reporter struggled with the eyeshade. The partners turned into a gate, went up a gravel walk, and came to the door of Judge Hammerburg's house.

"Quite a spread," Tobacco Jones said.

The knocker brought a fat squaw to the door. Grudgingly she let them enter the long living room with its fine hardwood furniture. Thick rugs muffled their steps as she waddled ahead down the hall and threw a open door.

"He in here, Judge Bates."

Judge Bates was sure of one thing: Judge Hammerburg had not bought this house, this fine furniture, or these thick rugs, on a judicial salary; plainly he had some outside course of income.

To Bates' surprise, Alex Ironmonger sat beside Judge Hammerburg's bed, and the two were playing checkers. Gaunt, bony, Judge Hammerburg's thin face beamed, his nose as long as the handle on a tack hammer.

He shook hands and then lay back, sighing deeply. "I am indeed grieved to be incapacitated, Judge Bates. My home, Your Honor, is your abode."

Bates declined with thanks. "We already have our room at the hotel." He looked at Alex Ironmonger. "We heard about your unfortunate accident, Judge Hammerburg, and we came to offer condolences."

Further inquiries revealed the wound was healing nicely. A great and good healer, this Ironmonger—so Judge Hammerburg related; Ironmonger also was using faith healing on the jurist.

They talked for a while and when they came to leave, Benjamin Milton stayed to interview the judge.

Alex Ironmonger said, "See you pack your gun now, Judge Bates?"

"Took it off my mule in Rusty's barn."

Judge Hammerburg seemed seized by sudden pain, but he managed to gasp out a goodby. Again, boots moved across the thick rug. The squaw glared at them. Judge Bates winked at her.

She did not wink back, though.

They went toward the main section of Lodgepole. Bates put his thoughts into words. "Judge Hammerburg must have some outside income, to live in a spread like that—what with that big house and fine new furniture and those carpets. A man could bog down in one of his carpets."

"This town," said Tobacco Jones, "has a lot of sin in it. Women over in saloons; gambling, too."

Judge Bates had a thin smile. "You hinting that perhaps he is not on the up-and up?"

"Could be. Not all judges are honest, Bates."

Judge Bates sighed. "Unfortunately, you are right." He shook his jug, verifying its contents. "I've had a lot of friends today... I need to refill at the *Broken Pick*."

"I hate saloons," the postmaster

said; "they stink. I'll mosey around Rusty's office and I'll meet you there."

"Suits me, friend." The postmaster swung to his left on a side street. "Going in by the back door and look around the barn again."

JUDGE BATES cut through an alley. Tin cans. Debris. Garbage. Flies. Ahead was an old barn, sagging in the ridge-beam—seemingly it was dejected with life. The sun slanted in. The sun showed the rifle barrel.

The sun flashed from the barrel of the Winchester.

Bates went to one knee, drawing his sixshooter as he went down. One thought stabbed across his brain, sending warning into his blood. Rusty and Judge Hammerburg made two ambush victims... Would he be the third?

The barn was about three hundred feet away. The rifle spat smoke, but the bullet was not heard—that was because Judge Bates' sixshooter was roaring, killing the high whine of the bullet as it missed.

Bates built a square of bullets around the window.

The rifle talked again. This time dust moved ahead of the jurist about thirty feet. The rifle fell out of the window, hitting the ground. Because of the distance, and the growing dusk, accurate shooting—with a pistol—was impossible. The sun had suddenly gone behind the distant pines, throwing a dark shadow across the town. Its last dying rays had reflected from the rifle.

Judge Bates thought, *I must have hit him.* He dropped his rifle.

He did not move ahead, though, toward the window. The thought came that this might be a ruse to pull him in closer. The ambusher might have dropped his rifle to give the impression he had stopped a bullet; then, he might wait, sixshooter in hand—or with another rifle ready.

Bates ducked in between two buildings. He ran across a back yard, loading his gun as he hurried. He jumped a low fence, crossed another yard; then, he sprinted across an open area. He was on the other side of the barn. Here was a small lumberyard complete with sawmill and a pie of sawdust. Raw green lumber was piled in careful piles. He entered the barn by the big door.

He slipped around the corner, put his back against the dark wall. He waited, gun in hand, letting his eyes get accustomed to the dim light.

He could see the window. A haybin window. A manger under it. He went to the manger and looked in. No body there. He glanced out the window; the rifle lay on the ground.

He stood there, listening. Evidently the ambusher had made good his escape. Had he wounded him? A lighted match showed no signs of blood. He reached out the window, with difficulty got the rifle; he hauled it in. He went out into the dusk and looked at the Winchester.

A .30-30. No names on the stock. An old Army rifle. Thousands of them in this section of Wyoming; and they all looked alike. Told him nothing. Absolutely nothing.

Suddenly a voice called, "Judge Bates." A woman's voice, too.

It came from the lumber piles.

Bates said, "Mitzi, or am I mistaken?"

She came out of the lumber then, her small face pale. "Somebody...shot at you, Lem?"

"Ambush."

"You're—all right?"

"He missed, and I missed. He got so excited, though, he dropped his rifle. What are you doing here?"

"I wanted to see you. Somebody told me you had gone to Judge Hammerburg's house. They showed me where the house was located. I took this shortcut; then, I heard the shooting, so I hid in the lumber."

"Did you see anybody run past you?"

She nodded. "He was quite a ways off. He ducked through the lumber; I just glimpsed him."

"Do you know who it was?"

She shook her head. "He was small and slim, but I couldn't see his face. I wish I could have seen him closer."

HARD KNOTS played along the judge's jaw. This was getting to be a horse of a different color. Plainly somebody wanted him out of the way. First, they had circulated this description of him, saying he was a professional killer—they had wanted him killed, and Ellison had fallen for the bait. Now, after that trick had failed, they had gone to outright ambushing.

Why did somebody want him killed?

For money? So they could save ten thousand dollars?

Suddeny he asked, "Why were you looking for me, Mitzi?"

Rusty Brant had got out of bed. He had had some crutches in the closet and he had hobbled down to his office. "Well, I'll be hanged," His Honor said.

They went down the alley and met Tobacco Jones hurrying toward them. He had heard the shooting. They told him what had happened. He stopped chewing, teeth suspended over his cud. "Bad business, Bates."

"Let's parley with Rusty."

Mitzi said, "Here comes Peg."

Peg was smiling. She and Mitzi wanted to go fishing tomorrow. Would Tobacco and the judge go with them?

Tobacco Jones scowled, said nothing. Covertly, under heavy brows, he looked at Peg. She was a dish—a well-made, curvy dish, too. "Maybe," he grunted.

Mitzi said, "Without a patient, I have to go in the line tonight, judge." She hooked her arm in his. "Take us past the *Broken Pick*. You have to pass there to get to Rusty's office."

They walked along, Peg and Tobacco following.

"I like you," Mitzi said.

Color had returned to Judge Bates' ruddy face. "You don't know me very well; I'm a devil underneath. A woman alone is never safe with me, even if she is ninety."

"Golly," Mitzi said, "and I'm only twenty-two." She sobered suddenly. "I'm only joking with you, Lem. I'm just alittle no-count dance-hall heifer. You're a judge—a young smart man—and someday, so rumor says, you'll be district attorney for the Territory. By rights, you should not be seen with me."

"Why not?"

"People will talk; it will do your career no good."

He looked at her. She meant every word. Suddenly he caught a new glimpse of her character. And what he saw was good and womanly and sweet. He pressed her hand. "You let me take care of that, honey."

She smiled at him. She was a little girl again.

Between the *Broken Pick* and the next building was a walkway. They came to this and Peg said, "We go down this and come to the back door. We got our dressing room back there."

They hurried down the gravel walk, almost running. Tobacco Jones said, "Them women is out to get us."

"I don't know," the judge said; "I like them both."

"I do, too, now that you mention it."

WHEN THEY went past the big window of the *Broken Pick,* Monk McCartney, standing at the bar, saw them. He lumbered out, voice raised in harsh anger.

"I'm payin' you back for sluggin' me, Bates."

Judge Bates had had enough. He tossed his jug to Tobacco. Monk came on a lumbering run, fists up. The judge still held the Winchester. The rifle made a sizzling arc. The stock caught Monk under the left ear. Monk's face changed color; his mouth flopped open like a fish gasping for air.

Then the sidewalk stormed up and hit Monk. It had happened in a clock-tick.

The rifle had broken at the stock, and Judge Bates held only the barrel. He threw this to one side.

"Better carry him off the street," he said.

Then, he and his partner entered the saloon, where Judge Bates put his jug on the bar, ordering it filled with Old Orchard. Two men, straining and panting, carried Monk inside; with the aid of two more hands, they got him on his back on a pool table. His mouth was open, huge lips flapping.

Alex Ironmonger, big, tough, said, "You sure did it in a hurry, Judge Bates."

"None of your business, Ironmonger."

The crowd heard it; the kingpin of Lodgepole was getting the tongue. Ironmonger stood there, and his lips pulled down. His face, momentarily, was chiseled granite. Would he take it...or back down?

Discretion moved in, softening his lips. He smiled but his eyes were glinting anger. "Sorry, sir," he said.

He turned and walked toward his office. Judge Bates paid for his whiskey and he and his partner went outside. "Now to talk to Rusty," Judge Bates said.

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RUSTY SAT behind his desk, crutches leaning close by. "Where are your books?" Judge Bates asked.

"Books? What books?"

"Your record books, of course. Day book and ledgers. You must do some bookkeeping in this business."

The smile left, the eyes became rigid. "My system of bookkeeping is my business, and the business of nobody else, Your Honor."

They looked at each other. This was a new facet in the character of Rusty Brant. No smiles now; grimness, defiance.

"You forget, Rusty, that you owe us almost ten thousand. We hold a first mortgage on this spread. We, as your creditors, have, under the law, a right to examine your books."

"But...I have no books."

"How do you handle your finances then?"

The method was the same as that outlined by Jack Smith. Each day the receipts went into Ironmonger's bank. Then checks were written against the account.

"Let us see your checkbook?"

He dug in the desk and came out with the book. Judge Bates looked at it and then handed it to Tobacco who said, "Only six hundred and some odd dollars. Not much reserve, for a business this big."

"Every spare cent went back into the business," Rusty Brant said.

Judge Bates said, "A company pays off its debts before making additional investments in itself, Brant."

"That's the deal," the man said with finality.

Judge Bates and Tobacco Jones went to their hotel room. Judge Bates slouched in the Morris chair.

"Do some talking, Tobacco."

"He might have got us to ride to Lodgepole to pay us off with bullets," the postmaster said. "Maybe he could have made his payments but he didn't want to, knowing sooner or later we'd check in."

"Would he kill a man for ten thousand?"

"It's been done."

Judge Bates cocked his head, listened, said, "Here comes somebody."

Both men listened. Shoes—not boots—were coming down the hall. They stopped in front of their door. Tobacco, gun in hand, moved silently across the room, back to the wall, head turned to watch the door.

"Who's there?" Bates called.

"Benjamin Milton, and I'm drunk."

Judge Bates jerked open the door. The reporter had been leaning against it; he fell into the room, caught his stride, then tumbled on the bed where he lay on his back, grinning like an ape with a new set of fleas.

Judge Bates reholstered his .45. He walked over and looked at the man who looked up at him. Benjamin Milton stunk of whiskey. For some reason a great wariness entered Judge Bates. The man's eyes were glassy and ugly.

"Drink, Judge?"

"No, thanks."

"I got a bottle in my hip pocket." He reached under his coat. But he didn't come out with a bottle. He came out with a .45!

Bates jumped back. The cold feeling inside broke into coordinated action. His own gun was leaving leather. Now, the reporter was on his feet, legs spread out. Cold sober.

HE SHOT once. The bullet, because of haste, missed. For the second time within a few minutes, luck had been with Judge Bates. Bates felt his .45 leave leather, but he knew the man could shoot again...he would have time.

The reporter did shoot again.

This time, though, the bullet was low, hitting the pine floor. That was because Tobacco Jones' bullet had hit the newspaper man under the heart, knocking him down. Milton sat on the floor, back against the bed, legs spread out. His .45 had skidded across the room.

"What in the name of hell?" Tobacco's voice was a surprised croak.

Judge Bates could say nothing. It had seemed like a bad dream; still, it was true—Milton sat on the floor, smashed by a bullet.

Milton raised his thin, homely head. He smiled then, a sick attempt, and he said, "I overplayed my hand; I thought both of you would be slow. Jones, you've shot Ace Watson."

"Ace—Watson?" Bates had found his voice.

"Hired to come in and kill you two."

Judge Bates knelt beside the man. "Who hired you, Watson?"

The evil eyes looked at him. The evil lips parted again. "You can go to hell and stay there, Bates."

"Tell us, please."

"You go to hell."

Benjamin Milton sighed, lay on his side, and died.

Judge Bates got to his feet. The tension had left, leaving puzzlement. This man had played it sharp but, as he had said, he had overplayed his gun prowess. He had made his final mistake.

Boots and shoes came rushing toward them down the hall. The clerk barged in and Alex Ironmonger was behind him.

"What happened?" the clerk asked.

"He was cleaning his gun," the judge said. "It went wild on him; fired three times, and the third shot hit him."

Alex Ironmonger asked, "Is he... dead?"

"Can you hear? I said he *killed* himself."

"And the gun fired three times?"

Bates said, "I said that, too, Ironmonger." Dislike rimmed his words and gave them added emphasis. "Either the gun went crazy or he did. He shot twice into the floor. The third time he lifted the gun to his chest and said, 'I only had two cartridges in it,' and he pulled the trigger. He must have made an error; he had three, not two."

Tobacco Jones was chewing now. He said nothing.

Judge Bates spoke to the clerk. "Get Sheriff Ellison."

The clerk hurried back. Others crowded into the room. Soon Ellison came, puffing, red-faced, pushing his belly ahead of him. He cleared the room. Only Ironmonger stayed behind.

Judge Bates repeated the story he had told the banker.

Ellison said, "Let's look in his wallet."

There he found a wallet with five fifty dollar gold pieces. In one compartment was this:

My real name is Ace Watson. In case of my death, notify my old mother, Mrs. Ella Watson, Big River, Texas.

"My Gawd," Ellison said.

He handed the note to Ironmonger.

JUDGE BATES watched Ironmonger's rugged face as he read the note. It changed not one bit. "I don't get this," the saloonman said, handing Ellison the identification slip. "Rumor got around that Ace Watson looked like Judge Bates."

"Maybe somebody did that on purpose," the jurist said.

Ironmonger looked at him. "Why?"

"You figure it out," the judge said. "You're good at figures; you're a banker, they tell me."

Ironmonger smiled to hide his anger. "If you were the local judge and came up for re-election I wouldn't vote for you."

"Good."

Ironmonger turned sharply, said, "Good day," and left. Ellison wiped his forehead with a faded and aged blue bandanna. "He don't like such talk, Your Honor."

"A big frog," said Judge Bates, "in a small puddle."

Ellison said, "I sure don't understand all I know about this," and laughed. It was no joke, though.

Tobacco Jones lit the lamp. His fingers trembled as he replaced the sooty chimney. Across the yellow flame he looked at Bates. "Let's get out of here."

Judge Bates nodded. This was a room of death, of intrigue. He wanted to leave it. He wanted to get out in the good air.

"I might want to question you later," Sheriff Ellison said.

"Whenever you want to talk to us, we'll be proud to accommodate you," Judge Bates said.

They went down the hall. When they passed Ironmonger's room the door was open slightly. Judge Bates saw that a young woman sat on the couch. He recognized Melissa Middleton; she wore a dress that clung to her body, giving her added attractiveness.

Then, somebody closed the door.

"She must be friendly with Ironmonger," Tobacco Jones said.

"The local banker. Maybe he has a mortgage on her outfit. Moneybags, you know."

"I hated to kill him," Tobacco Jones said.

Bates looked at the hangdog face of his partner. "Forget it," he said. "You did the world a favor. He won't kill some poor man who has a wife and family. That gold—it was his pay. But who paid him?"

"Rusty Brant?"

"I doubt it. Rusty wouldn't go to those lengths, would he, to save ten thousand. Or would he?"

Tobacco merely shrugged.

They went through the lobby. People turned and looked at them; since coming to Lodgepole, they had met nothing but trouble. They went out on the porch; they stood there for a moment.

"If'n we only knew who had hired him," Tobacco Jones repeated.

"You've said that before."

The judge had his calm logical mind working. Gone was the shock left by the psuedo reporter rearing up off the bed, his .45 bucking smoke. In its place had come level-headed thinking.

Somebody wanted him and his partner in only one condition...dead. Why? For ten thousand bucks? There could be no other logical answer. Then, the pointer swung, steadied, pointed at

Rusty Brant. "Maybe somebody else has a mor'gage on Rusty's outfit," Tobacco said.

Bates mulled this over. "You got something there; there's only one catch."

"And that?"

"To make the second mortgage legal, it would have to be recorded in the county official records. Then the recorder would so notify us in Cowtrail."

"Would he have to tell us about the second mor'gage?"

"The Territorial Statutes command him to."

"Maybe he forgot... .or just didn't?"

"I doubt that."

"Who would be the county official to record the mor'gage...if there is one?"

"Judge Ezra Hammerburg." He added, "It's part of his duties as judge, and—"

Suddenly the judge stopped. He stood there, face graven; Tobacco, chewing slowly, watched.

Then Judge Bates said, "Come on," and started down the street.

THERE WAS blood on her breasts. She had hacked her flesh with a dull knife. She knelt on the floor, blood dripping onto the thick rich carpet. She wailed in a high keening sound that cut through the marrow of a man's bones.

"We came too late," Judge Bates said.

The Shoshoni squaw kept on wailing.

They crossed the room with its wonderful furniture and went down the hall, the thick rug muffling their boots. There in the door of Judge Hammerburg's room they stopped.

Judge Hammerburg lay on his back, thin hands dark on the white sheet. His mouth gaped open, showing dirty teeth.

"He—he's dead," Tobacco Jones said.

Judge Bates said, "We got here too late." He moved over and lifted the limp head. "Are those black and blue marks on his throat, Tobacco?"

"Looks like he's been choked. Wonder what the squaw knows?"

"She's bawling for her lover," the judge said. "No wonder this old stiff never got married."

He walked to the window. Under the the window was a flower bed. Boots or shoes had trampled the pansies somewhat. He came back to the dead man; he threw back the man's bed covers.

He pulled up the long nightgown. Judge Hammerburg's body held no bandages. Judge Bates restored the covers.

He looked at the Winchester .30-30 rifle beside the bed. Within hand's reach, it was.

"Now why would he lie about being wounded?" Tobacco asked.

Judge Bates said, "He was afraid. He went to bed to protect himself. He had that rifle close at hand. But whoever murdered him came in the window; he must have been sleeping when the murderer came in."

"Why would anybody murder him?"

"Silence his tongue, I suppose."

"What would he have to tell us?"

Judge Bates looked around the room. The bedroom set itself must have cost over a thousand. "He was making money illegally some way; we know that. You know what I think?"

"What?"

"We won't find his official records in his office."

"You think—he was murdered—because of some instrument of the law he had to record?"

"Just a hunch."

They left the dead man and questioned the squaw. Tobacco took the knife away from her. She answered no questions—she whined, moaned, wept. They went outside. They saw a man coming toward them—evidently a neighbor of Judge Hammerburg—and they sent him back up-town for Sheriff Ellison. They did not report

the judge's demise—they just asked the man to get Ellison to come down and see the judge.

"Has he taken a turn for the worse?"

"He doesn't seem as well. Get the doc to come down with the sheriff. Hammerburg wants to see Ellison, though."

"Be glad to tell the sheriff."

They went toward the courthouse. This net was closing in, circumstance was piling on circumstance, and Judge Bates was getting a glimpse of the motivation. But things were not all clear yet. It would depend on what Judge Hammerburg's office would disclose.

"I'm the official judge of this bailiwick now," His Honor said. "Territorial statutes read that, in case of a demise of the local judge, a visiting judge, by law, ascends to the post, temporarily, of county judge."

"Who'd have a key to his office?"

"The janitor at the courthouse."

"Courthouse is closed this hour."

"We'll go to the jail."

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THE JAILER turned out to be the janitor, too. He gave Judge Bates the keys. He even picked out the key opening Judge Hammerburg's chambers. They went down a long hall, lighted by feeble kerosene bracket-lamps, and came to the door marked,

Judge Ezra Hammerburg,
County Judge, Teton County
Wyoming Territory.

The key did not open the door. Judge Bates tried almost every key on the ring before he found the correct one. They came into stuffy quarters and Tobacco lit a match.

"Lamp on the desk," he said.

He lit the lamp.

"Chimney feels warm," he said.

Judge Bates said, "They beat us to it, Jones."

And this somebody had done. They found two official records—volumes about six inches thick and bound in blue whipcord. The notation on the last page of the second volume referred to volume three. There was no volume three; the index, required by law was also missing.

"We could search the room for volume three," Tobacco Jones said.

Judge Bates shook his head. "We'd never find it."

"These are bound in blue."

"All official records, according to statute, must be bound in blue whipcord," His Honor supplied. "Makes them easier to distinguish when piled with other ledgers."

"I don't quite savvy this, Bates."

Judge Bates said, "Easy to see why they murdered Hammerburg. He knew about some instrument recorded in volume three. He, of course, had to know about it; he recorded it."

"So somebody murdered him to wipe out his memory. Then they got his keys and come here and lifted the volume, huh?"

"Looks that way to me. Let's call on Rusty Brant."

They talked it over on the way to the office of Wyoming Wagons. They compared notes and drew their conclusions. They met Melissa Middleton and she said, "You've had a busy day, men."

"It'll get busier," the judge said meaningly.

She looked at him with a level gaze. "Oh, will it?"

They came to the *Broken Pick*. Big Monk McCartney ambled out, hands to his knees. Judge Bates stopped. Monk stopped. Lamplight came from the big window to wash across his wide and ugly face. "Bates, I can't whip you. I give up; shake my hand?"

Judge Bates was wary. He planted his feet wide. This giant might grab

his hand, jerk him forward. But Monk merely shook hands; his grin was wide and he apparently wanted to be friends. "Likker brings out the Injun in me," he said.

"Then stop drinking."

The thick brows rose. "You want me to die a premature death?"

Judge Bates asked, "How come your boss got on the scene so fast today, out where that wagon was wrecked?"

"She just rode out there, she said. Rode out to meet me, saw the wreck, took to the brush when she saw us arguing."

"Oh, she got out there fast."

The thick lips showed a smile. "She ain't blowin' up her own wagons, if that's what you're driving at Judge."

"But you never saw anybody around the scene, you said. Except when I rode in, and you jumped me."

"My hands was full of jerkline. Tin cans flew all over. I was duckin' them, Some of them bean cans—them five pound ones—they ain't light when they sock a man on the skull."

Judge Bates said, "Glad we're friends, Monk."

They continued on down the street. Judge Bates had a warm, good spot in him—this was good. He did not like to make enemies. Monk had just got off on the wrong boot.

RUSTY WASN'T in his office.

Lamps were lighted and hanging from the beams. Two men and a woman sat on a bench in the waiting room. Judge Bates and Tobacco Jones went out the back door and entered the barn. Across the parking area three men were greasing a wagon. Two men worked and the third was on crutches.

"Wonder if he has a bullet hole in him?" Tobacco said, biting off a fresh chew.

"We'll soon find out."

They crossed the clearing. Rusty heard them and turned. His two men kept on working on the nigh front wheel of a Studebaker freight wagon.

"We want to talk to you," the judge said.

Rusty looked at Judge Bates; he looked at Tobacco Jones. You could almost feel the stiffness run through him.

"Go ahead. Shoot."

"In private," the judge said. "In the the barn."

"These men won't pay no attention. Old hands of mine, close of mouth."

"In private, Rusty."

Rusty shrugged on his crutches. "As you say."

They went to the barn, the crutches making sounds on the gravel. They entered the big door and moved down the aisleway a few feet.

Rusty stopped. "I don't savvy what you want," he said.

Judge Bates realized the two men out in the yard could not see them. The barn held no Wyoming Wagon hands, either. Just the three of them there under the flickering kerosene lamps.

"Judge Hammerburg got murdered," Bates said. "Somebody choked him, Rusty."

"Hammerburg murdered? Who murdered him?"

"We figure your partner killed him," Judge Bates said.

"What the hell you talking about? I have no partner."

"We think you have. We think you and he lured us into this town to kill us, and thereby cancel the ten thousand you owe us. You two got around my description and said I was Ace Watson. Somebody tried to ambush me. Rusty, I think you'd best go with us."

"Where to?"

"To jail."

"You talk crazy!"

"I'll show you one thing that isn't crazy," Bates said. "And it's this good right fist of mine!"

Judge Bates swung.

Rusty dropped his crutches. He threw up his forearm. He slipped the

blow. Rusty Brant was perfectly well; he went into a crouch. He came ahead, fists working. Then, Tobacco Jones' right fist smashed Rusty on the jaw; right on the button, and it came off the floor.

Rusty's knees turned into water and he flopped.

Judge Bates breathed heavily. "He had me going for a while. Man, you sure hit him—never knew you had such a poke."

"He was off balance and I landed just right," Tobacco said modestly. "There's no wound on this boy, either."

"Let's look."

They pulled up his shirt. They unbelted his pants. He had no bandages. No wound. The crutches, then, were a blind.

"The dirty devil," Tobacco Jones said.

"There's a wheelbarrow over there," Judge Bates said. "Leaning against the wall. Go get it."

"Who was your slave last year?"

"You were. Remember?"

They got the man into the wheelbarrow and Judge Bates said, "He hit me on the nose. My nose is too sore to wheel this outfit."

"You don't wheel a wheelbarrow with your nose."

The judge had no answer to that. "Hope my lips don't swell. Mitzi and I are going fishing and I want to be in tip-top shape if I kiss her."

"She's after your money!"

"She's barking up the wrong tree, too."

They wheeled the limp man down the alley, meeting nobody. They entered the jail by the back door; the jailer was asleep. Evidently Sheriff Ellison was still at the Hammerburg residence. They got the keys to the cells and locked Rusty in one. They gagged him and tied him hand and foot, using his shirt and some loose spotcord rope they found in the office.

Tobacco Jones panted, asked, "What is next, Bates?"

"The *Broken Pick*."

BY NOW THE moon had risen. It lit the gaunt mountains, making them dark with trees—pine, spruce, fir, tamaracks. They went down the alley toward the *Broken Pick*. When they got opposite the back door of Wyoming Wagons' barn a man asked, "Where did Rusty go, men?"

He was one of the hands who had been greasing the wagon.

"When we parted from him he went toward the office," Judge Bates said.

"He ain't there now. I wanted to ask him where the wheelbarrow is. I want to clean out some stalls."

The partners moved on.

They came to the back of the saloon. Out on the main stem the human tide moved, washing against the raw log buildings. Human voices made a low and never-ending hum. Tobacco Jones said, "I'll wait here."

"Be ready, Jones."

"I got my little gun; I know how to use it."

Judge Bates went between the saloon and the next building, following the graveled walk. Overhead were the stars, visible in the slot made by the two buildings. He had a feeling of fear. He had had it ever since that ambush gun had talked to him. Had the ambusher been Ace Watson?

He came out on the main street, turned the corner, and entered the *Broken Pick*. The can-can chorus was dancing. Mitzi was kicking a high and almost naked leg. Miners stood and gawked at this parade of female meat.

Judge Bates' eyes found Alex Ironmonger.

Ironmonger stood with his back to the bar, a drink at his right elbow, his cigar cocked at a pert angle.

Judge Bates saw somebody else, too. Mel Middleton sat in a card game. She lifted her eyes and looked at him but did not nod, and then her cold eyes

moved over to Ironmonger. Satisfied, they returned to the cards.

Judge Bates went over to Ironmonger. The man removed the cigar and remarked it was a fine evening. "Rusty Brant asked me to have you call at the office," Judge Bates said. "Something about his wound, he said."

Ironmonger looked at him. He restored his cigar to the hole in his mouth. "He's well and healed; he don't need me."

Judge Bates watched Mitzi's leg. He compared it with Peg's leg. Beautiful things, both of them.

He shrugged. "Well, I delivered the message; I suppose you've heard about Judge Hammerburg's death?"

"The whole town knows it. His wound killed him, I suppose. The town has lost a valuable citizen."

Judge Bates said, "Too bad. I'd like to talk to you about something. Anybody in your office?"

Ironmonger pulled on the cigar. "We can talk here."

"Somebody might hear. In your office, if you don't mind."

Irongmonger had inscrutable eyes. He took down the cigar and looked at its coal. "All right," he said.

THEY WENT through the crowd, Judge Bates trailing the big saloonman-banker. He glanced at Melissa Middleton. She watched them and, when she saw Judge Bates' glance, she looked back at her cards.

A man moved over, evidently a guard, and Ironmonger shook his head. The man moved back, stationing himself against the far wall, about thirty feet away. He had the cold eyes of a dead lynx.

They went inside and Bates had his gun in Ironmonger's back. The man turned, hands up slightly, his smile ironical.

"Holdup, Judge Bates?"

Judge Bates had shut the door behind them before drawing his gun. He gestured with the .45.

"Unlock the back door. Slide the bolt. One hand on the bolt—your left; your right, high. Here, I'll take your .45."

He slipped the big gun out of leather.

The bolt slid back and Tobacco Jones entered. "Get your hands against the wall," the postmaster said. "Over your head. Stand like that while I frisk you." His hands ran from ankles to armpits. "He ain't got no more weapons, Judge."

Judge Bates said, "There is no safe here. Look through his desk."

Tobacco Jones pulled out drawers, closed them. "Nothing there," he said. "Must be at the bank."

"What are you looking for?" the banker asked.

Judge Bates said, "Tobacco, go out first. See if the alley is clear. Call to me low like; leave the door open. Then watch him with your gun while he goes out."

"Good idea."

Soon, through the open back door, came the postmaster's call. Hands down now, Alex Ironmonger walked out, Judge Bates following him.

"The back door of your bank," the judge said.

They went down the alley, Ironmonger walking ahead. By luck they met nobody. There was still the moon. Cold and dead and unsmiling, the moon. They came to the back door of the bank.

"Get his keys, Tobacco."

Tobacco found the keys in the right hand pocket. Three of them, and the second unlocked the door. He went inside and lit a match and found the lamp and then said, "Bring him in, Judge."

"Get in there," the judge said.

Once inside, the judge slowly shut the door. He thought he heard the latch snap in the hook. They were in a room about twenty by twenty. There was a couch, a big desk, and a safe, over against the wall.

"You got a night watchman?" Judge

Bates asked. His voice was harsh.

"No watchman," Ironmonger said. "Be the first time in the history of Wyoming that a judge ever robbed a bank, won't it?"

"We're not robbing your bank."

"What are you after, then?"

Judge Bates said, "Tobacco, look at the desk."

Again, the lanky postmaster opened drawers. He straightened, said, "Not in here, Bates."

"What the hell you looking for?" Ironmonger's voice, too, was harsh.

Judge Bates gestured toward the safe. It was a wall safe, running from the floor to the ceiling.

"Open that," he ordered.

"The bank's entire money stock is in there," the banker said.

"We're not after money. Open that safe."

Judge Bates watched the rugged, thick face. He saw the hardness leave and saw something else move in—was it a crafty scheming? Ironmonger hesitated. He looked at Judge Bates' gun. Tobacco Jones had holstered his .45.

"What are you after, Bates?"

JUDGE BATES said, "You hold a mortgage against Rusty's outfit. You and Rusty are working together; you two lured us into this town to kill us and save ten thousand. You're money-mad."

"You're crazy."

"You two hired Ace Watson. You described me as Watson, hoping the sheriff might kill me. You tried to ambush me from that barn window; at last, you sent Watson against me, and now he's dead."

"You talk crazy."

"You killed Hammerburg. Hell, he had no bullet wound; Rusty has none, either. Hammerburg took to bed for safety with his gun close by. That way, in bed, he could watch his back. He was yellowing out on you; he wanted to talk to me, throw himself on my mercy. He never built that big house and outfitted it that way on his salary. You killed him to silence him. You'd have shot a hole in him to make it look real, but the report would have been heard all over the neighborhood."

"Can you prove this?"

"Rusty Brant is in jail." The judge kept on building his story. "Rusty told us all of it, banker."

Ironmonger looked at Tobacco. He looked at Judge Bates. His lips were solid, rock-hard. "You can't prove a thing you say, Bates."

"Open that safe."

Suddenly the man smiled. "With pleasure."

His heavy fingers turned the dial. His fingers were steady. No tremble. The latch clicked, the door swung open. Lamplight showed one-half the interior. Judge Bates saw what he wanted to see. A blue whipcord bound volume, there on the third shelf.

"That's it, Tobacco."

Tobacco Jones had gone against the wall, gun rising. The back door latch had not caught. A woman came in. a gun in her hand. Her face was savage, pulled by hate; she was Melissa Middleton.

"I been listening at the door." She hissed her words. No running laughter in her eyes now; hardness, glinting and sharp. "So you played both ends against the middle, eh, Alex? You and Rusty Brant played against me. At the same time, you helped me hit Rusty. You hold a mortgage on my outfit, and you hold one on Rusty's and when it would end, you'd own both outfits, huh?"

Ironmonger went, for a moment, a trifle pale. Lamplight showed his color coming back.

"Mel, let me explain."

"Mister, you'll explain all right...in hell!" Her voice held a maniacal touch. "You even got me on the hop, you did. Hell, my arm is full of holes, and I'm full right now—heroin. You got me to ambush Judge Bates. Hop again, and

my eyes weren't clear—I missed. But mister, I ain't missing you!"

She brought the big gun up, the hammer clicking back.

Her eyes were those of a hop head, pupils wide.

JUDGE BATES never forgot the scene that followed.

He had wondered, at the time, why Ironmonger had so gladly opened the safe, while the man had known, all the time, that the damaging record-book could be easily seen.

Now he knew. Ironmonger had a rifle in the safe.

Melissa Middleton shot. Ironmonger took the bullet, almost falling. He came out with the rifle, went to one knee, and shot.

The bullet hit the woman in the chest. It drove her back against the wall and, as she went back, she shot again, and this shot killed Alex Ironmonger.

It had happened in a second.

Then, Ironmonger was on the floor, blood seeping across the hardwood. And Mel Middleton stood against the wall, gun drooping in her fingers. "Did I kill him?"

Judge Bates said, "I think so. I think you hit him in the heart."

Blood was on her white blouse. Her eyes were glassy, marble-hard. Her voice, too, was naked flint.

"I've been thinking of killing him for some time. First, I loved the man; he took advantage—he got me on dope. Marijuana first, then in the veins. I could see no use in my living."

Judge Bates said nothing.

Tobacco Jones said nothing.

She dropped the gun. She looked at it. She said, "Move over, Alex, my man—for here I come." She smiled then, seemingly at some inner jest. "I even blasted my own wagon off the grade—good old Monk—to make it look like Rusty Brant's crew had done it—"

She never finished the sentence.

Two days later Judge Bates, sitting on Judge Hammerburg's bench, sentenced Rusty Brant to three years of hard labor on the territorial road gang, and the four of them went fishing.

It was a small creek, coming down the snow-tipped peaks. Downstream they heard Tobacco and Peg laughing and talking. Mitzi wore levis, the legs cut off high to show her pretty thighs, and her eyes were dancing.

"Gee, this is fun, Lem."

Judge Bates smiled. "You sure are a lovely woman, Mitzi."

She looked at him, ready to throw in her line. "Oh, you're just joking with me, Lem. I'm just as stubborn little can-can girl. You know what, Lem?"

"What?"

"A number of times our dance has been raided by the law. A number of judges had bawled me out; but one has never kissed me yet."

Judge Bates put his arm around her. She came in close. "One of them is going to kiss you now," he said.

She dropped her fishing pole so she could put both arms around his neck.

★

Another Feature Novel by Lee Floren

RIDE AGAINST THE RIFLES

leads off the new May issue of

DOUBLE ACTION WESTERN

THE REAL WEST

A DEPARTMENT FOR WESTERN STORY READERS

THIRTY SECONDS TO DEATH

by Harold Gluck

One of the deputies who was with Pat Garrett when he shot Billy The Kid was John W. Poe. Forty years have passed since that event took place and he has now consented to be interviewed. Why? Because, as he says, "It seems too bad that people will continue to circulate false stories about this occurrence." Poe is no longer a young man and you can see the tiredness in his wrinkled weather-beaten face. Pull up a chair next to me and listen to what he has to say.

UPON ARRIVING at Lincoln on the night following the day of the escape, Garrett found that two of his deputies (Bob Ollinger and a man named Bell) had been killed by The Kid. Partly by means of a cunning ruse, and partly by reason of the carelessness of the deputies, The Kid had broken into a room containing firearms, adjacent to where he was guarded, securing a shotgun and a sixshooter. With these, he immediately proceeded to add two more to his already long list of victims, then compelled another man on the premises to secure a horse for him, upon which he rode away, leaving the people of the little town completely terrorized.

Garrett at once organized several posses, and scoured the country in all directions for several days, in an en-

deavor to recapture his man. Failing to find any trace of him. Garrett finally gave up the hunt in the full belief that The Kid had gone to Old Mexico. According to my recollection, this killing and escape occurred in the latter part of April. We were unable to learn anything whatever indicating the whereabouts of The Kid until July following—notwithstanding the fact that we were constantly on the alert, and made the most strenuous efforts to locate him.

During the interval between the time of The Kid's escape and the time he was killed in July following, I continued to make headquarters at White Oaks. During this time I scoured the country thoroughly, finding many stolen cattle, also hides of stolen cattle which had been slaughtered, belonging to the Association I was representing; had a number of arrests made, prosecutions instituted, etc. I was assisted in all this by Sheriff Garrett, who co-operated with me in every way possible, and whom I found to be a very brave and efficient officer.

Some time in the early part of July following the happenings above related, I was approached by a man in White Oaks whom I had formerly known in Texas. Although addicted to habits of dissipation, he was a man of good principles, and had, on previous occasions, shown a desire to assist me in the work I had in hand.

This man told me a story in strict confidence—as he probably felt that his life depended on its being treated in that respect—the gist of which was that, for want of a better place, he had been occupying for some time as sleeping quarters, a vacant room in a certain livery stable, owned and operated by two men who were known to be friends of Billy The Kid. A short time previous, while in his sleeping quarters at night, he had overheard a conversation between the two men, which convinced him that The Kid was yet in the country, making his headquarters at Fort Sumner, about a hundred miles distant from White Oaks. At two different times since his escape from Lincoln, he had been in the vicinity of White Oaks, and had met or communicated with the two men whose conversation he had overheard.

I was somewhat skeptical as to the correctness of this information as it seemed almost unbelievable that The Kid, after nearly three months had elapsed from the time of his escape with a price on his head, and under sentence of death, would still be lingering in the country. However, in view of the peculiar conditions then existing in the country—and the fact that The Kid had many friends and sympathizers, who looked upon him as a hero, and who would probably shelter and protect him—I came to the conclusion that there was possibly truth in the story which had been told me. I immediately went to the county seat, where I laid the matter before the sheriff as it had been told me.

THE SHERIFF was much more skeptical as to the truth in what the White Oaks man had told me, but finally said that if I desired it, he and I would go to Roswell, where we would find one of his deputies named McKinney. From there, the three of us would go to Fort Sumner with the determination of unearthing The Kid if he were there. This was agreed upon, and the following day we went to Roswell, where we found McKinney. He also expressed his disbelief in the White Oaks story, but willingly joined us for the expedition to Fort Sumner, which place is some eighty miles distant from Roswell.

After a few hours spent in Roswell arranging for the trip, we started about sundown, riding out of town in a different direction from that which we intended to travel later. It was absolutely necessary to keep the public in ignorance of our plans, if anything were to be accomplished. After we

were well out of the settlements we changed our course and rode in the direction of Fort Sumner until about midnight; then we stopped, picketed our horses and slept on our saddle blankets for the remainder of the night. The next day we rode some fifty or fifty-five miles, halting late in the evening at a point in the sand hills some five or six miles out from Fort Sumner, where we again picketed our horses and slept until morning.

It was then agreed that as I was not known in Fort Sumner (the other two men were, Garrett having a year or two previously resided there), I should ride into the place with the object of reconnoitering the ground and gathering such information as was possible and that might aid us in our purpose. The other two men were to remain out of sight in the sand hills for the day; in case of my failure to return to them before night, they were to meet me after darkness came on at a certain point agreed on, some four miles out of Fort Sumner.

In pursuance of this plan I left my companions the next morning, and rode into town, where I arrived about ten o'clock. Fort Sumner at that time had a population of only some two or three hundred people, nearly all of whom were natives or Mexicans, there being perhaps not more than one or two dozen Americans in the place. A majority of these were tough or undesirable characters, in sympathy with The Kid, while the remainder stood in terror of him.

WHEN I entered the town I noticed that I was being watched from every side; and soon after I had stopped and hitched my horse in front of a store which had a saloon annex, a number of men gathered around and began to question me as to where I was from, where bound, etc. I answered with as plausible a yarn as I was able, telling them I was from White Oaks, where I had been engaged in mining, and was on my way to the Panhandle, where I had formerly lived. This story seemed to allay their suspicions to some extent, and I was invited to join in a social drink at the saloon, which I did, being very careful that I absorbed but a small portion of the liquor.

This operation was repeated several times, as was the custom in those days, after which I went to a nearby restaurant for something to eat. After I had eaten a square meal I loitered about the village for some three hours, chatting casually with people I met, in the hope of learning something definite as to whether or not The Kid was there, or had recently been there. I was unable to learn anything further than that the people with whom I conversed were still suspicious of me; and it was plain that many of them were on the alert, expecting something to happen—in fact, there was a very tense situation in Fort Sumner on that day, as The Kid was at that very time hiding in one of the native's houses there. If the object of my visit had become known, I would have stood no chance for my life whatever.

It was understood when I left my companions in the morning that in case of my being unable to learn any definite information in Fort Sumner, I was to go to the ranch of a Mr. Rudolph (an acquaintance and supposed friend of Garrett's) whose ranch was located some seven miles north of Fort Sumner at a place called "Sunnyside," with the purpose of securing from him, if possible, some information as to the whereabouts of the man we were after. Accordingly I started from Fort Sumner about the middle of the afternoon for Rudolph's ranch, arriving there some time before night.

I found Mr. Rudolph at home, presented the letter of introduction which Garrett had given me, and told him that I wished to stop overnight with him. After reading the letter he said

that Garrett was a very good friend of his, and that he would be very glad to furnish me with accommodations for the night; he invited me into his home, took charge of my horse, etc. After supper was over I engaged in conversation with him, discussing the conditions in the country generally; and after some little time, I led up to the escape of Billy The Kid from Lincoln, and remarked that I heard a report that The Kid was hiding in or about Fort Sumner.

Upon my making this remark, the old gentleman showed plainly that he was getting nervous; he said he had heard that such a report was about, but did not believe it, as The Kid was in his opinion too shrewd to be caught lingering in that part of the country with a price on his head and knowing that the officers of the law were diligently seeking him. By this time I was pretty well convinced that Mr. Rudolph was naturally well-intentioned, but like so many others, was in almost mortal terror of The Kid; and on account of this fear, he was very reluctant to say anything whatever about him.

I then told him plainly the object of our errand—that I had come to him with the express purpose of learning, if possible, where The Kid could be found; that we believed he was hiding in or near Fort Sumner; and that Garrett, the sheriff, expected that he (Rudolph) would be able to put us on the right trail. Upon my making this statement, Mr. Rudolph apparently became more nervous and excited than ever, and reiterated his reasons for believing that The Kid was not in that part of the country, and showed plainly—so it seemed to me that he was not only embarrassed but alarmed. The truth was, we afterward learned, that he was well aware of the fact that The Kid was then, and had been for some time, hiding about Fort Sumner; but his dread of The Kid caused him to make misleading statements while withholding facts.

DARKNESS was now approaching and I said to Mr. Rudolph that, inasmuch as myself and my horse were by this time pretty well rested, having had a good feed, I had changed my mind; instead of stopping overnight with him, I would saddle up and ride during the cool of the evening to meet my companions. This I accordingly did —much, I thought, to the relief of Mr. Rudolph. I rode directly to the point where I had agreed to meet my companions, and, strange to say, as I approached the point from one direction, they came in view from the other, so that we did not have to wait for each other. This proved to be a night of strange happenings with us, however, all the way through. We here held a consultation as to what further course we should pursue. I had spent the day in endeavoring to learn something definite of the whereabouts of the man we wanted, but without success.

Garrett seemed to have but little confidence in our being able to accomplish the object of our trip, but said that he knew the location of a certain house, occupied by a woman in Fort Sumner, which The Kid had formerly frequented. If he was in or about Fort Sumner, he would most likely be found entering or leaving this house some time during the night. Garrett proposed that we go into a grove of trees near the town, conceal our horses, then station ourselves in the peach orchard at the rear of the house and keep watch on who might come or go.

This course was agreed on, and we entered the peach orchard about nine o'clock that night, stationing ourselves in the gloom or shadow of the peach trees, as the moon was shining very brightly. We kept up a fruitless watch here until some time after eleven o'clock, when Garrett stated that he believed we were on a cold trail; he had very little faith in our being able

to accomplish anything when we started on the trip, and proposed that we leave the town without letting anyone know that we had been there in search for The Kid.

I then proposed that, before leaving, we should go to the residence of Peter Maxwell—a man, who, up to that time, I had never seen, but who by reputation I knew to be a man of wealth and influence. By reason of his being a leading citizen, and having large property interest, he should, according to my reasoning, be glad to furnish such information as he might have to aid us in ridding the country of a man who was looked upon as a scourge and curse by all law-abiding people.

Garrett agreed to this, and thereupon led us from the orchard by circuitous by-paths to Maxwell's residence, which was a building formerly used as officers' quarters during the days when a garrison of troops had been maintained at the fort. Garrett said to me: "This is Maxwell's room in this corner. You fellows wait here while I go in and talk with him." Thereupon, he stepped onto the porch and entered Maxwell's room through the open door (left open on account of the extremely warm weather), while McKinney and myself stopped on the outside. McKinney was squatting on the outside of the fence, and I was sitting on the edge of the porch in the small open gateway leading from the street onto the porch.

IT SHOULD be mentioned here that up to this moment I had never seen Billy The Kid nor Maxwell, which fact, in view of the events transpiring immediately afterward, placed me at an extreme disadvantage.

It was probably not more than 30 seconds after Garrett had entered Maxwell's room when my attention was attracted from where I sat in the little gateway, to a man approaching me on the inside of and along the fence, some forty or fifty steps away. I observed that he was only partially dressed, and was both bareheaded and barefooted—or rather, had only socks on his feet, and it seemed to me that he was fastening his trousers as he came toward me at a very brisk walk. He came on until he was almost within arm's length of where I sat before he saw me, as I was partially concealed from his view by the post of the gate.

Upon his seeing me, he covered me with his sixshooter as quick as lightning, sprang onto the porch, calling out in Spanish, *"Quien es?"* (Who is it?), the same time backing away from me toward the door through which Garrett only a few seconds before had passed, repeating his query, "Who is it?" in Spanish several times. At this I stood up and advanced toward him, telling him not to be alarmed; that he should not be hurt; and still without the least suspicion that this was the very man we were looking for. As I moved toward him trying to reassure him, he backed up into the doorway concealed by the thick adobe wall at the side of the doorway, from whence he put his head out and asked in Spanish for the fourth or fifth time who I was.

I was within a few feet of him when he disappeared into the room. After this, and until the shooting, I was unable to see what took place, on account of the darkness of the room, but could plainly hear what was said on the inside.

An instant after the man left the door I heard a voice inquire in a sharp tone: "Pete, who are those fellows on the outside?" An instant later a shot was fired in the room, followed immediately by that everyone within hearing distance thought was two other shots. However, there were only two shots fired—the third report as we learned afterward, being caused by the rebound of the second bullet which had struck the adobe wall and re-

bounded against the headboard of a wooden bedstead.

I HEARD a groan and one or two gasps from where I stood in the doorway, as of someone dying in the room. An instant later Garrett came out, brushing against me as he passed. He stood by me close to the wall at the side of the door and said to me: "That was The Kid that came in there onto me and I think I have got him."

I said: "Pat, The Kid would not come to this place—you have shot the wrong man."

Upon my saying this, Garrett seemed to be in doubt of himself as to whom he had shot, but quickly spoke up and said: "I am sure that was him, for I know his voice too well to be mistaken."

This remark of Garrett's relieved me of considerable apprehension, as I had felt almost certain that someone whom we did not want had been killed.

A moment after Garrett came out of the door, Pete Maxwell rushed squarely onto me in a frantic effort to get out of the room, and I certainly would have shot him but for Garrett striking my gun down, saying, "Don't shoot Maxwell!"

As by this time I had begun to realize that we were in a place which was not above suspicion—such as I had thought the residence of Maxwell to be—and as Garrett was so positive that The Kid was inside, I came to the conclusion that we were up against a case of "kill or be killed," as we had from the beginning realized such would be the case whenever we came upon The Kid.

By this time all was quiet within the room, and as the darkness was such that we were unable to see what conditions were on the inside or what the result of the shooting had been, we—after some rather forced persuasion indeed—induced Maxwell to procure a light, which he finally did by bringing an old-fashioned tallow candle from his mother's room at the far end of the building, passing by the rear to the end where the shooting occurred, and placing the candle on the window sill from the outside.

This enabled us to get a view of the inside, where we saw a man lying stretched upon his back, dead, in the middle of the room, with a sixshooter lying at his right hand and a butcher knife at his left. Upon examining the body we found it to be that of Billy The Kid. Garrett's first shot had penetrated his breast just above the heart, thus ending the career of a desperado who had killed a greater number of men than any of the many desperadoes I have known or heard during the 45 years I have been in the Southwest.

Within a very short time after the shooting, quite a number of the native people had gathered around, some of them bewailing the death of their friend, while several women pleaded for permission to take charge of the body, which we allowed them to do. They carried it across the yard to a carpenter shop, where it was laid out on a workbench, the women placing candles lighted around it, according to their ideas of properly conducting a "wake" for the dead.

All that occurred after The Kid came into view in the yard, up to the time he was killed, happened in much less time than it takes to tell it, nor more than thirty seconds intervening between the time I first saw him and the time he was shot.

This occurred at about midnight on the 14th of July, 1881. We spent the remainder of the night on the Maxwell premises, keeping constantly on our guard, as we were expecting to be attacked by the friends of the dead man. Nothing of the kind occurred, however. The next morning we sent for a justice of the peace, who held an inquest over the body, the verdict of the jury being such as to justify the

Sometimes a sure-fire alibi can sink, rather than save a killer.

FOOTSTEPS TO BOOTHILL

by Tod Harding

THE SNOWFALL had been light, and the wind following it had left a strange pattern of bare earth and drifts all around. Oddly enough, there were hardly any bare patches between Kansas Joe's cabin and Leland's place, about a half mile farther up. I was thinking that this was a stroke of luck for Leland, because the clean snow showed a clear line of tracks leading down the hill to Joe's.

"Well," I said to Gideon, "this tells us quite a bit, and it's all in Leland's favor. Joe went up to see him last night before the storm; he came back later and in good shape." I pointed to the steady line of prints.

"Could be," Gideon grunted.

"Could be," I mimicked him. "Look, you padded hunk of ornery argumentation, won't you admit, for once, that evidence speaks for itself? I suppose you'll say now that all this proves is that *somebody* came from Leland's to here last night."

Sheriff Darius Gideon rubbed mittened fingers along his handlebar moustache and his eyes took on that sort of half-vacant expression he gets when he's pondering real deep. "Well, now, Bozy, I might allow that, tentatively speaking."

"Well, thank you kindly, sir," I replied trying to sound appreciative. "And if you will come out of those fine clouds up in the blue there, and cast yore gimlet eyes upon the good solid ground, bestrewn as it is with beautiful snow, you'll see from these here prints that the right heels thereof show a sort of slantwise crack to them."

"Thank you, Bozy; I have already noticed that."

"Then perhaps it is obvious, even to you—I mean that perhaps the thought has seeped through your fine shock of red hair, sir. I pointed out to you only the day before yesterday that Kansas Joe's footprints in the mud, back in town, showed a remarkably similar defect."

"You, did, you did, Bozy," the law-

man of Roundup County assured me.

"Then, since seeing is believing—as I'm sure you'll allow—it sort of follows, doesn't it, that Leland had nothing to do with whatever has happened to Kansas Joe?"

Darius Gideon snuffled loudly a few times, then wiped his nose on his sleeve. "Trouble is, Bozy, that most folks are lots better at believing than they are at seeing.... Well, let it ride for now. You climb down and see if Leland's to home."

"And what are you going to do? Set there atop your noble steed, gazing over the horizon like that Injun in the painting?"

He was woolgathering again, so I shrugged and dismounted, leaving him there as I went up to the door of Leland's place and pounded on it. There was no answer, so I battered at the door again. I waited for the racket to die away, then listened. This time, I heard stirring inside, and sort of hesitating steps coming toward the door. A moment later, the door opened and Bill Leland stood there, blinking in the sunlight.

"Howdy, Trant," he said; "howdy, Sheriff. Just fixin' to make some coffee. C'mon in."

Gideon had come back to reality enough to climb down from his horse, and he returned Leland's greeting as he followed me through the door. Leland had a big room in front, a kitchen, and a small room to one side, where he slept. And while I wouldn't have called him the neatest man in Roundup, after taking a look around, I've sure seen lots worse. He nodded toward the wall and said to Gideon, "Them there packing cases are real strong. Set yourself on one of 'em; you'll find 'em tolerably comfortable when you lean back."

There was a fire going, so I moved over to the fireplace to warm my hands as he padded out to the kitchen to see to the coffee. "Funny thing, isn't it," I observed to Gideon, "how scrawny little runts like Leland somehow manage to team up with big oxes like Kansas Joe."

Gideon shrugged. "No funnier than a big woman hitching up with a little man, and vice versa. Just a matter of temperament, you might say. You see just as many teams where both partners are pretty much the same size." He was talking in his thoughtful manner again, and I glanced in the direction that he was looking. There was a table over in the corner with a couple of slightly used drinking mugs on it, a Sears and Roebuck catalogue, Leland's pipe, and various odds and ends. As I said, he wasn't the neatest man in town; there was a pile of rags beside the table, on the floor—which latter had probably been swept somewhere around New Years. I figured that as the time, because I'd heard before how Leland took a bath and tidied up his place to start a New Year off proper.

"Of course," I said softly, "Kansas Joe may just have gone off somewhere."

LELAND came in with the coffee, and I didn't want to seem unappreciative of his hospitality, so I didn't examine the mug too closely. He'd have to wash them all pretty soon, though, the way I saw it. There was another dirty one over on a shelf, and I couldn't picture Leland as having more than half a dozen, all told. He'd mentioned ordering six from the mail-order house last year. Nice mugs, too—like the barbershop uses for shaving soap. Good and solid, and they hold enough coffee to make a gent warm.

"What brings you out from a nice warm office, Sheriff," Leland wanted to know.

Gideon took another long drink of coffee, then set the mug down and sucked on his teeth. "Kansas Joe made an appointment with the assayer for eight o'clock this morning," he said. "Didn't show up. Ever know Kansas to miss an appointment excepting he

was sick or something else serious?"

Leland frowned and shook his head. "Nope, never did....Funny, he didn't tell me about it."

"Seen him today?"

Leland shook his head. "I was goin' down to see him right after I had coffee."

I figured it was time for me to put some questions in. "Got any idea what time it was he left last night?"

Leland looked surprised. "Can't say exactly. We were making plans to try that lode again as soon as the thaw comes, which ought to be within the week, we figured.... Uh, how did you know he was here last night if you haven't seen him?"

I chuckled. "Sheer deduction, Leland. Sheriff and me, we rode up here and saw a line of big bootprints running from your place down to his'n and stopping there. And we recollected that there was a bit of snow and wind last night, but that the ground was pretty bare yesterday afternoon. So we just deduced that he was here."

Leland smiled, sort of. "Now that you mention it, I do recollect that it was snowing when Kansas left." His eyes fell on a jug at the side of the fireplace. "Dang it all, he said he'd take that into town and get a refill.... Can't offer you any firewater, gents; we drained it last night."

"Bone dry?" I asked.

Leland went over, picked it up, and shook it. "Bone dry; see for yourself."

I hefted the jug, shook it, and for good measure sniffed it. Gideon said, "A good whiskey-sniffer can tell the brand that's been in a jug, right off the bat. What was it, Deputy?"

That sort of set off a warning buzzer in my head; when Gideon calls me "Deputy" in front of someone else, it's a signal to play along. "Why, I'd say Old Orchard, Sheriff." I passed the jug over to him.

"By looking at Leland, here, I'd say you're wrong."

"Well, if you're so hot, suppose you tell me." I took a cartwheel out of my pocket. "Bet you can't."

"You oughter have odds," Leland put in, "because he already knows it ain't Old Orchard."

"I'll *give* odds. A cartwheel to four bits, Sheriff."

Gideon lifted the jug to his nose and inhaled slowly. The thoughtful look came back on his face. "A jug will accumulate the aroma of what it has held for a long time," he said. "If you have been mixing brands frequently, it will cost me."

Leland shook his head. "Ain't changed my brand in ten years."

"Then, sir, I would pronounce this same brand, as Red River."

Leland's jaw dropped. "But you—" His voice trailed off and looked at me sympathetically. "Afraid you lose, Bozy."

I sighed. "Pa always told me never to wager with the boss." I tossed the cartwheel to Gideon, who caught it deftly and slipped it into his pocket.

The sheriff rose slowly. "Well, there doesn't seem to be very much for us here.... Had any trouble with rats this winter, Leland?"

The little man shook his head. "Not a bit of it; no, sir, I've managed to keep them under control."

"So," continued Gideon, straightening, his hand falling naturally toward his gun-butt, "we'll all mosey into town. All of us, Leland, *including* the corpse."

"Corpse! Whose corpse? What are you talking about?"

"I refer to your late partner, Kansas Joe. His remains are resting, I should judge, in your bedroom—the door of which I note is closed."

"You're—you're crazy—" Leland started, but the conviction in his voice faded away, and his words died out as I stepped over to the room in question and opened the door. Prepared though I was, it was still a shock to see the huge form of Kansas Joe stretched out on the bunk. His hands were folded

peacefully on his chest, but his face showed that his end hadn't been entirely painless.

LELAND sounded like the ghost he knew he'd soon be. "How—how did you know?"

"As I told you, Kansas Joe made an appointment with the assayer for this morning. You said he hadn't *told* you, and maybe you weren't exactly lying, either—but you knew. Saunders saw you going by when he was talking to Kansas, and noticed that you ducked out of sight quicklike, before your partner could see you. He mentioned, too, that heretofore, you'd brought in all the stuff for assay, and Kansas Joe had never been in to see him. Being a mean and suspicious-minded old son, I immediately filed in my mind the possibility that here was a motive for murder—if we accepted the tentative assumption that you'd been lying to Joe about assayer's reports on the gold you brought in.

"We stopped by Kansas Joe's cabin, but he wasn't in. The ashes in his fireplace were completely cold, which suggested that he either got in very late last night and went straight to bed, rising early this morning and going out without making a fire—or that he hadn't come home at all. If he'd gone out, then why had he missed this morning's appointment? All this tied in with the theory that he might have been killed last night."

Gideon eased his gun out of holster. "Better put handcuffs on him, Bozy, just in case he tries something desperate." I moved up behind Leland quietly and did the job; then I draped his mackinaw around his shoulders and got his hat.

"But—the footprints—" Leland protested weakly as we left his place.

"Ah, yes—the footprints. As I mentioned to my observant deputy, they indicated clearly that *someone* came from your place to Joe's last night or early this morning, and that whoever

took the trip was wearing Kansas Joe's boots."

We went to the barn, and I saddled Leland's horse, and helped him mount. "You noticed that pile of rags by the table, Bozy?" Gideon asked.

"Uh—yes."

"Rather odd that they should all be in a neat pile, when things in general were pretty well scattered about. Leland used them to stuff Joe's boots with when he walked down the hill. Then he went out the back way—where the snow had already been blown clear—and picked his way along the stream up to the rocks behind his own place. We'll look, of course, but I suspect that he was real careful and didn't leave any prints on the return trip."

I WAS MULLING these things over as we rode, and trying not to look at the corpse slung across my saddlehorn. "But what made you sure, Gideon? All this was ten-tative, like you say. What tipped you off?"

"A rather foolish lie. Foolish because it was unnecessary." He turned to Leland. "You could just as easily have said that Kansas Joe left *after* the snow had stopped and the wind had died down; it wouldn't have aroused as much suspicion as the mis-truth did."

Leland shook his head. "I—I was pretty drunk last night."

"You see, Leland, had either Kansas or you or anyone else made that trip while it was still snowing, the prints wouldn't have been as distinct and sharp as they were. They'd have been partly filled in, and some even blotted out by drifting snow. You wanted to be sure they were clean, since you half expected us, didn't you?"

The little man nodded. "Yeah. I did. When it was all over, somehow it came to me that I'd been a fool. Kansas would miss his appointment and people would suspect something; someone would be almost sure to be out looking for him."

Gideon shook his head sympathetically. "It was just on the spur of the moment, wasn't it? There you were, both roaring drunk and having a fine time—but tomorrow the friendship would be gone, and there'd be nothing but trouble. Why not end it then and there, eh? So you put rat poison in the whiskey when Kansas Joe wasn't looking, and he had the last drink."

"So that's why the jug had been washed out clean and smelled of soap," I said. Then a thought struck me. "But rat poison's got strychnine in it, and that stuff's awfully bitter, I hear. Wouldn't Kansas Joe have known something was wrong?"

Gideon smiled wanly. "Black coffee is bitter, too. My guess, Leland, is that there was just enough whiskey left in the jug for Kansas Joe to spike his coffee, the way he liked to. Quite a kick, this one had."

Leland didn't answer; he just sat his horse, staring ahead of him. "I should of confessed. I should of told him what I'd been doing, and offered to pay him back. Kansas was good-hearted. Maybe he'd have forgiven me; maybe we could of still been friends. Maybe..."

His voice trailed away, and I thought, sort of sadly, that there weren't many "maybes" left for Leland—and he wouldn't like any of them.

★

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Too many people knew that the notorious Finger Harday was still alive! And one by one, these unfortunates were being executed by a lobo band known as the Hangman Bunch.

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What was the secret of the light, far up the mountainside — and the terrible cries that arose every now and then?

LANTERN In The SKY

Lee Winters Story

by Lon Williams

DEPUTY MARSHAL Lee Winters, homeward bound by night, rounded a perilous curve on Mt. Horeb Road. Instinct, or his natural fear of incomprehensibles, caused him to draw his horse Cannon Ball to a quick stop. His darting, watchful eye had caught a rectangle of light on one of those massive heights of stone on his right, so far up that it suggested a window of Infinity. For one moment it was softly aglow; then there was darkness, except where countless stars glittered.

Silence for seconds was deep and eery. Its very intensity heralded imminent and terrifying sound.

That sound came as a scream. Nothing rendered by vocal cords could have surpassed it for sheer horror; it pierced downward and echoed among towers and granite walls, its duration long and chilling. Inability to see its source, except as a flicker of shadow, detracted nothing from its harrowing revelation, namely, that a man was falling hundreds of feet to certain death.

Lee sleeved his cold forehead.

Then a quarrelsome, shaken voice reached him from nearby. "What did you think of that, stranger?"

Winters held a tight rein as Cannon Ball shifted nervously. His search disclosed that he was not alone; a bearded small man sat on a ledge above him on his left, his booted feet adangle, as from a porch.

Winters gripped his sixgun. "Who are you?" he demanded.

Answer came with snarling unfriendliness. "You've no cause to be skeered of me, stranger. Though it's

"You seem right sure of yourself, Winters. Maybe you can explain that light up yonder, and that scream we just heard."

no concern of yours, I'm only a harmless prospector hereabouts, name of Billy Hornbarker. By that thing shining on your vest, I judge you an officer of sorts."

"You judge correctly," said Winters; "I'm Deputy Marshal Lee Winters of Forlorn Gap."

"Forlorn Gap, eh? That's almost saying you're nobody. Why hang around a dead town like that?"

Winters had his own brand of unfriendliness. "Though it's no concern of yours, Hornbarker, I operate from Forlorn Gap because that's my official station. It's a crossroads place, a good spot for catching wanted monkeys."

"You seem right sure of yourself, Winters. That being so, maybe you can explain that light up yonder and that ghostly scream you heard."

"You ought to know more'n I do about that," retorted Winters. "You're a prospector hereabouts, while I'm only a passer-by."

"I know if you look long and careful, you can see another light," said Hornbarker. "It's no bigger'n a star; must

be a lantern, because it don't move on and hide behind mountain tops, as stars do. That much I know."

Winters looked upward, stared hard and long. At last he saw what might have been a light in a small window. "Your manners could be mended, Horny, but I'll say you've got sharp enough eyes. Light up there, all right; being a harmless prospector hereabouts, maybe you've seen it before?"

"Yep," said Hornbarker. "Seed it last night from my camp higher up. Few nights ago, too. Ain't seed no door open before, though, nor heard no screams. Way I figure, somebody stepped, or was heaved, from that door into eternity. Seein' as you're an officer, why don't you go up there and see what's doin'?"

"Maybe I don't want to," said Winters.

"Sort of figured you didn't," sneered Hornbarker. "How come you riding this grizzly-bear trail by night anyhow?"

"Glad you asked me that," said Lee with angry challenge. "I'm searching for a wanted monkey name of Zin Daker, a name that sounds sort of like Hornbarker. He's an icy-eyed straw-blond of about thirty, five feet-ten and has a knife scar behind his left ear. Maybe that describes you?"

Hornbarker leaned over and spat. "Nope, not me. My scars are lower down."

"Maybe you've seen him?"

"And maybe I ain't."

"If you knowed where he's at," said Winters, "you'd be too ornery to tell."

Hornbarker grunted. "Lost his trail, did you?"

Lee reflected with shivers that he'd lost his nerve, as well. He'd tracked Daker to a lonely region where dim trails merged with a maze of ancient warpaths and imagined ghosts could be seen peering from behind every crag and queer-shaped stone. "Yeah," he said, "I lost his trail."

"No wonder," declared Hornbarker. "If you'd had as much sense as that big horse you're on, you wouldn't gone into that north country. It's full of spooks. I never camp there myself; I ain't that lame-brained."

Winters lifted Cannon Ball's reins and kneed his ribs. "You look too much like a spook yourself to be afraid of ghosts," he said icily. "More'n that, your bad manners make me think maybe you *are* a ghost. Anyhow, goodnight."

"Goodnight, Winters. If you've nerve enough to see what's up yonder on that sky-scrapin' pinnacle, I'd be curious to know."

Cannon Ball moved away, his feet lifted high with each step. Winters called back, "If you're so curious, I suggest you go up and see for yourself."

Hornbarker's response was a taunting, flat laugh.

But it was not Hornbarker that disturbed Lee's thoughts. Indeed, he hardly had any thoughts. What he felt was of much greater depths. Up there on that stony height was certainly some puzzle of dangerous import. Either a sentence of death had just been executed in a terrifying manner, or supernatural forces had fashioned its ghostly voice and spectral image. An individual man, in contrast to nature's immensity in earth and darkness, was infinitesimal. Yet death, so recently enacted and personified, was all-pervasive in its inexpressible coldness.

Winters, scared and shivering, hunched down into his vest and listened hazily to Cannon Ball's clattering, monotonous hoofs.

IN FORLORN GAP, night was still young. This town was, truly, a haunted place. Ghostly remnant of a town that was, it presented but few dwellings among its many deserted, windowless, moaning houses. One bright spot remained, however, where wayfarers spent pleasant hours while waiting to journey on northward to

Pangborn Gulch, or westward to Elkhorn Pass. This lively spot was Doc Bogannon's saloon, only institution of its kind that was left.

Bogannon, its owner, was himself a man of mystery, his origin undisclosed, a man of talent and education, but content to stay in this nowhere-place as operator of a saloon and to live with a half-breed Shoshone for a wife.

He had just finished serving drinks and was relaxing with folded arms behind his bar. He was tall, broad-shouldered, darkly handsome with his black hair and magnificent face. In disposition he was even-tempered, generous, kind and philosophical. To him in some particulars, human tides were like morning fogs driven by gentle winds. They passed, indistinct, unrevealing, soon forgotten.

But now and then an unforgettable individual emerged from that drifting obscurity to stand for a while, clear and distinct. Sometimes he was a braggart, sometimes a ruthless killer. Occasionally there came an orator, dyspeptic, squint-eyed monkey, lunatic, or insufferable dude.

And now, at last, a poet!

This character placed a small coin on Bogie's bar. He drew himself up proudly, gray-haired, shabby, thin, but confident in his excellence of mind and spirit. He held in his hands a musical instrument that roughly resembled a banjo with many strings.

"Wine, Bogannon," he said haughtily. When he had received and swallowed his drink, he smacked his wide lips and added pompously, "I, Greenleaf Baytree, am a wandering minstrel and troubadour. Poetry and music are my forte, companion arts in whose mastery I am without a peer."

"Indeed," said Bogie, instantly curious. "And that instrument you have?"

Baytree responded proudly, "It is a zither, sir. I made it myself. This handle which you might call a neck is for convenience in holding it. Like my instrument, my poems, also, are my own creation. For example: *I sing to rocks and rills; to vales and templed hills; from them in echoes clear, my song goes everywhere; to all who mourn it brings sweet healing in its wings.*"

He continued at l e n g t h and strummed his zither meanwhile.

When he had stopped, Bogie exclaimed, "Excellent!"

Customers tossed small coins, which clinked at Baytree's feet.

Baytree bowed and gathered them up. "Thank you, gentlemen."

"What kind of poetry do you call that, what's recited to music?" a bearded customer asked.

"Lyrical couplets, my dear sir."

"Couplets? What's couplets?"

A teamster spat into a sandbox. "Aw," he drawled, "couplet is what you couple a wagon with. It's a kingpin, that's what."

GREENLEAF BAYTREE'S countenance expressed acute pain. "There, Bogannon," he commented sadly, "is an illustration of things that have broken my heart and spirit. Ingratitude. Incapacity for appreciation. Cold, impenetrable density of human minds." He indicated with a handwave. "These wretched creatures in human form scoff at my genius, and consolation for me is only in knowing that they are but mere scum and dregs. But so has it always been. It was said of Homer, divine poet of antiquity, *Seven cities contend for Homer dead, wherein the living Homer begged his bread.* There'll be a time, sirs, when every oaf of you will boast of having seen this humble poet and heard him sing his own song. But, alas, you will remember me only to realize too late what fools you were."

"Listen to that, will you?" a cardplayer with a sense of humor shouted. "He's a prophet, too. Toss him a coin; here."

More coins were tossed. Baytree

picked them up, calmed and began again to strum his zither.

Then Bogie's batwings swung in, and a lean, wiry, weatherbeaten gentleman with badge and dark mustache strode in.

"Winters!" exclaimed Bogannon. "Come in, Winters."

Winters strode up and planked down a coin. "Wine, Doc."

"Wine it is," declared Bogie, happy to have his friend Winters present. He filled a glass. "You look right solemn, Winters; didn't run afoul of ghosts, did you?"

"No, Doc, it's a right peaceable world." Winters picked up his glass and turned round for glances at Bogie's customers. He recognized no wanted monkey, but a long-haired character with a musical instrument and a contemptuous eye caught his attention. Winters drank and nodded. "Who's he, Doc?"

"Ah," exclaimed Bogie. "My apology, Winters. This is my new friend Greenleaf Baytree, poet and musician extraordinary; Baytree, meet my old and trusted friend Deputy Marshal Lee Winters."

Neither Winters nor Baytree offered to shake hands. Winters was wary of Bogie's new friends, while Baytree's expression of unbounded contempt explained his own aloofness.

"Poet, eh?" said Winters. "Now, that's a notch on Caesar's pistol. I've seen musicians, but never before a real live poet. Right interesting."

"A rare privilege," agreed Bogie, "to meet a man who is not a mere reciter of verses, but one who composes his own."

"I've often wondered," said Lee, "how those fellers looked who wrote verses, but never figured 'em to be so long-haired and starved looking. Does writing poetry give a man that look, or is it only hungry-lookers that can write poems?"

Baytree's nostrils spread with accentuated scorn. "Any fool can scoff, but where is there a fool who can write a poem?"

"There," said Bogie, "I call that a fair question."

Winters put down his empty glass. "I admit I could never write verses, but I sure *learned* one when I was a button that has stuck to me like a wart."

"Do tell," said Bogie. "Recite it, Winters."

"Certainly," said Winters. "It was one my pa learned from his pa long before he ever saw Texas. My pa learned it to me and I recited it at a speeching in a schoolhouse down in Trinity Valley. I remember it as well as if it was yesterday." He squared his shoulders, drew in his chin, and recited:

"Once I had an old coon dog;
Now I wish I had him back;
He chased the big hogs over the fence,
And the little ones *through* the crack."

"Hooray!" several guests shouted. "Winters, you're a genius," observed a sarcastic one.

Bogie said, "That's real poetry, Winters. It's got everything—devotion, pathos, action, imaginative suggestion, vivid realism. I'd say, without fear of contradiction, that it deserves immortality."

Greenleaf Baytree was indignant. "It's an inexcusable debasement of life's sublimest art. You recite vulgar, clumsy doggerel and call it poetry! You should die by torture."

Winters put down another coin. "Wine for our poet friend, Doc. I've recited all I know. Now that my reputation with Green Baytree is beyond improvement, I give you goodnight." He took one more searching glance at Bogie's customers and left.

A MOMENT later one of those customers rose, came forward and

laid his hands gently on Baytree's shoulders. "Sir, I could almost call you brother."

Both Bogie and Baytree stared at him. In Bogie's opinion, here was a character, if ever such there was. He was tall, slender, straight. A dark cloak, fastened by a string at his throat, fell gracefuly down his shoulders and back. His nose was extraordinarily thin and sharp, his cheeks prominent, his eyes dark, hypnotic. There was no hint of humor in his expression. That which proclaimed itself as something to be remembered was his unsmiling sublimity. Its quality suggested sweet realms unknown to ordinary men.

Baytree said as one enchanted, "I—indeed, I do have a feeling of exalted kinship. Pray tell, who are you?"

"My name, sir, is Alexander Murdoc. A name, however, does not answer your question. Who I am can only be learned from close and intimate association. In earth's inadequate terminology, I am a poet. Could you understand if I should tell you that I am a reincarnation of antiquity's greatest poet? And that poet not a man, but a woman called Sappho?"

"Certainly," said Baytree. "That I can easily believe. And could you believe that I have John Milton's soul, reincarnate? That which made me realize as much was an experience in memorizing poetry. Simple verses I remember with difficulty. But when I read *Paradise Lost,* it was like reading something I had written myself. With one reading I knew it by memory. Here, I can recite it to you."

"No, no," Alexander Murdoc interposed quickly. "Some other time; just now my companions await me."

"Are they poets, too?"

"They are poets. I should say, poets extraordinary." He turned from Baytree and put down a coin. "Bogannon, wine for me and my esteemed brother in art."

Bogie came out of momentary enchantment. "Oh, yes. Baytree has a free drink coming; I'd almost forgotten." He filled two glasses and his artist guests drank with grace and appreciation.

"I was about to say," Murdoc resumed, "that my companions and I reside in regal splendor not far from here. We live in and maintain what we reverently call Time's Mytilenean Mansion of Divine Sappho. I almost invited you to join us. That, of course, would be unfair to other members of our society. But you could pay us a visit. After we have heard you more extensively, we might invite you to become one of us."

Baytree emptied his wine glass of its last drop and put it down. *"Ah, at last I see glory's beckoning light; it reaches up with golden beams; in its sweet magic heaven gleams; it gilds and burns the mountain height."*

A customer yelled, "Whiskey! Where's that loafing bartender? Whiskey!"

Bogannon jerked, startled. "Oh, yes, whiskey. It's on its way."

Murdoc put an arm about Baytree's shoulders. "Come along with me, my friend; let us leave this vulgar place. You will find at journey's end, an abode of endless grace."

BAYTREE yielded to Murdoc's charms and they went out without a backward look. They mounted horses and rode eastward, then northward along a trail splashed with light from a newly-risen moon. Their course was steadily upward until they reached a high grassy cove, where they left their horses. Thereafter they ascended afoot, at last by ladders, until they were on a flat-topped pinnacle and outside a log cabin large enough for no more than one room.

"Yo-ho," Murdoc called loudly at a heavy door. He knocked and called again, "Open for a kindred spirit and his honored guest."

There was delay; but sounds of hurried movements drifted from within

which suggested that occupants might have been in bed and were getting dressed.

Murdoc explained, "My fraternal associates may have been in meditation, or even in sleep. You will kindly pardon their seeming tardiness."

"Of course," said Baytree.

While they waited, he glanced about in fearful admiration. This cabin was perched upon an overhang, so high that he breathed with difficulty in its rarified atmosphere. Horizons were so far distant that stars could be seen by one who looked down, as well as up. It was an awesome pace, yet inspirational, too. Where was there a poet who could not find his Muse in a place like this?

Hinges creaked and a door opened with a suddenness that suggested eagerness and unparalleled hospitality. And such was his greeting.

"Come in, come in, and welcome," voices called happily.

His volition lost in anticipated delight, Baytree was rushed inside, where he was smothered in handshakes and swift, though gentle attentions. Soft voices purred, *Ah, ah, ah, ah.* Before he was completely at himself again, his pockets had been emptied and he had been stripped of his hat, vest and coat and draped in a flowing, scarlet cloak.

"There," sighed Murdoc, "you have taken your first step as candidate for admission to our sublime order. Now I shall introduce you to my comrades in glory." Three men in black cloaks immediately arranged themselves side by side and tensed to attention. They were tall, long-haired, thin, sallow, and in features strangely alike. In their expressions rested that same unearthly sublimity seen so memorably in Murdoc's countenance.

Murdoc indicated from left to right. "Michel de'Angelo. Apollo Belvedere. Hermes Talaria. Each is a reincarnation of him for whom named. And our guest," said Murdoc, indicating Baytree himself, "is, like ourselves, an artist. Though his name is Greenleaf Baytree, he claims he is in truth England's profound singer, John Milton."

Murdoc's fraternal brothers nodded stiffly in recognition.

Hermes Talaria said, "We accept no pretensions, but only proof; let us be seated, brethren, while Baytree proves his claim."

They sat in a row against a bare wall and assumed attitudes of waiting.

Murdoc said, "Baytree, these are your judges." He stepped aside and indicated by a nod that Baytree was expected to perform.

"Would you have me recite, or only play upon my zither?" Baytree asked, his voice rasping and constricted from dryness of tongue.

"Play," said Michel de'Angelo.

Baytree strummed briefly, then nodded. "My own composition," he said with modest pride. He strummed again, gained confidence, then sang to his music, rendering what he had called his lyrical couplets.

His judges listened impassively, leaving him to guess whether they were being pleased or displeased. But when he paused for comment, their opinions came with appalling heartlessness.

"Extremely flat," said Hermes.

"A mere collection of platitudes," said Michel.

"Insipid beyond endurance," said Apollo Belvedere.

Baytree was struck dumb momentarily. Then his anger stirred. "So I encounter more stupidity, do I? You reincarnate nothing from any artist that ever lived. If there is anything in you that is artistic, it is your gift of snobbery. I came here expecting warm fraternal brotherhood and manifestations of kindred spirits. What I've found is an assembly of plaster-faced personifications of mental sterility."

Murdoc, unperturbed, said, "Would you like to try further, Baytree?"

Baytree laid his zither on a rustic table and tore off his scarlet cloak. "I

would like my hat, coat and vest," he said curtly.

"As you will," said Murdoc. He took them and handed them one by one to their owner.

Baytree put them on furiously, picked up his zither and turned away scowling. Only one door presented itself as an exit. He lifted its wooden latch, swung it open, gave Murdoc and his comrades one final look of contempt and hatred and stepped out.

Instantly he screamed in terror, for he had stepped into empty space and plunged downward into an abyss of moon-cast shadows.

LEE WINTERS had finished a midnight supper with his beautiful wife, Myra. Now they sat before a small livingroom fire, while Myra read poetry. She read aloud, a practice which was bearing belated fruit for Lee, whose childhood education had been extremely meager. Myra was especially fond of history; consequently, poetry interested her not merely for its own sake, but also for its additional value as a candle-glow upon past ages.

When she had come to a good resting place, Winters said, "Myra, when you was a chick in school, did you learn any verses?"

"Well, of course, Lee; didn't you?"

"I reckon so. Do you recollect any of yours?"

"Oh, yes. Want to hear them?"

"Wouldn't mind. Especially your favorites."

Myra put a finger on her chin and studied. Then her recitations began and continued at length, interspersed by comments from Winters. She said finally, "But there's one little-girl verse I've always been partial to. Right now it's dearer than ever."

"Well, let's have it."

"Sure you won't think I'm silly?"

"I could never think that."

"You'll think it mighty sentimental," said Myra, "but I love it." She moved closer, held his left hand and recited:

"As sure as a vine grows round a tree,
I will cling to you, and you to me;
Heart to heart will our lives entwine,
My love to your love, and yours to mine."

Winters felt her hands grow firm upon his. Here was something strange and mysterious—a woman's love and tenderness. In contrast to these peaceful moments with Myra, his life had been stormy and full of peril. She had brought to him his only genuine happiness. She was a finished and perfect gem in a whole wilderness of rough and unsightly stones.

"That was mighty pretty, Myra," he said at long last.

Myra pressed her head against his shoulder. "It's nice of you to say so."

"I reckon I could say more'n that about you," Lee said with a glad, yet disturbed feeling. "I reckon there never was nobody quite so pretty as you are. Way I figure, you've got everything a woman's supposed to have, but where a woman's supposed to be good you're heaps better. Our getting married was for me not just finding something I wanted, but only its beginning. Every day I find new wonders to be proud of. Without my lifting a hand, time weathers concealing things and reveals that my claim is a lode of pure gold."

"Oh, Lee!"

FOR DAYS thereafter, he remembered that evening. On his lonely rides, he dreamed of settling down on a ranch, when he could expect more evenings like that. But he had never come to a good quitting place. Transgressors came on an on, a trickling stream, certainly, but one stained by human blood. How could he find a

quitting place, when none was to be found?

He was riding home from Brazerville a week later with arrest notices in his pocket, when he recollected that light he had seen, far up on a mountain pinnacle. At first this recollection gave him shivers; then he thought of it soberly, even rebelliously. Up there undoubtedly was some sort of vulture's nest. On its lofty perch, it was more than a nest of evil; it was a grim symbol of crime's possible victory over him and that which he represented. It was a threat to his home, to Myra, to his friends, to people who passed their useful days within principles of law and right living. To Lee it was cause for anger and deadly resentment.

Shortly before midnight, Doc Bogannon was polishing glasses when his batwings banged inward.

"Winters!"

Winters strode up and slapped down a coin. "Wine, Doc."

Bogie looked startled. "Wine it is." He filled a glass. While Winters drank, he said, "Your mood's bad, Winters. Something serious?"

Winters surreptitiously drew a paper from his pocket and put it before Bogie. "Read it."

Bogie read, then sighed. "Well! Imagine Greenleaf Baytree committing mail fraud."

Winters sniffed. "You surprise me, Doc; murder of three mail-order wives meant nothing, I reckon."

Bogie murmured, "Face my guests while we talk and you'll catch onto something."

Winters faced about and sipped wine. Often had he and Bogie smoked out some unsuspecting criminal. Winters asked his key question. "Business been good, Doc?"

Bogie polished a glass. "Fair, I'd say; you had any luck?"

This was Lee's cue, his place to mention money, a bait that seldom failed. "Yeah, Doc," he said offhandedly. "While in Brazerville, I collected two hundred dollars on a monkey I turned in last month."

"Ah!" Bogie exclaimed. "Not bad; but you carry too much, Winters."

Lee had caught a flicker of interest in a queer-looking face. "Doc," he asked casually, "what's become of our poet?"

"Poet?"

"Yeah, that long-haired feller."

"You mean Greenleaf Baytree? Well, sir, he hasn't been in for some time; probably moved to greener pastures."

There was a stir; that queer-looker Winters had spotted rose and came forward. He wore a black cloak, assumed saintly looks, and placed his hand on Lee's shoulder. "Did you inquire of our great poet Baytree?"

Winters shook off his inquisitor's hand. "Your hearing's mighty good, stranger."

Bogie put down glass and drying cloth. He'd played along with Winters quite gayly, but now he sensed danger. "My apology, Winters," he said nervously. "Meet my good friend Alexander Murdoc. He, too, is a poet; I overheard him say so. Stranger still, his is a man's body, but a woman's soul. He's divine Sappho reincarnate."

Winters had heard Myra read about an ancient Greek poetess named Sappho. "Right odd," he said dryly; "but where's our poet Baytree?"

Murdoc's smile was purity itself. "Baytree, sir, is my honored guest."

Winters set up his glass for a refill. Here was something ominous, one of those double-minded fellows who understood ordinary men, but moved, also, in mysterious and unfathomable realms. But this loony knew greed, a vice not limited to any class of mortals. He said, "You'd hardly believe it, Mur-

Deputy Marshal, LEE WINTERS

doc, but Baytree's wanted. Big reward."

Murdoc stared. "Astounding!"

"But, of course you wouldn't betray a guest."

"Guest! No such reprehensible imposter can be a guest. Betray him, indeed! I should strangle him. If you care to come—"

"Sure," said Winters. He put down his empty glass. "I'm right behind you, Murdoc."

Now Bogie knew fear. In such fashion had Baytree departed with Murdoc; Baytree had not returned.

Bogie rushed out. "Winters!"

But he was too late. They were riding eastward by moonlight. If they heard his call, they did not so indicate. He went back uneasily and resumed his work, preliminary to his usual midnight closing.

AN HOUR later Winters and Murdoc stood before Time's Mytilenean Mansion of Divine Sappho.

"Yo-ho," Murdoc called loudly. He knocked and called again. "Open for your comrade and his guest."

Winters observed a heavy door and at its left a small, high window, aglow with lamplight. He heard noises, then squeak of hinges. Murdoc put a hand on Winters' arm to urge him forward, but Winters brushed it off and stepped behind Murdoc.

His voice was hard. "You first, Murdoc."

Suddenly Sappho's mansion door swung wide and three men in cloaks rushed out. They grabbed Murdoc.

"Come in and welcome," they shouted enthusiastically. But when they had dragged Murdoc in, they discovered their mistake.

"Ah!" one exclaimed sadly.

"Do not be discouraged," said Murdoc. "Our guest is modest, but he enters."

Winters stepped inside.

There followed renewed excitement and welcome, but when Murdoc's friends set upon him to strip him of hat, coat and valuables, Winters shoved them aside.

"Keep your hands off," he commanded angrily. "I'm no visiting grandma to be made over."

"You misunderstood," Murdoc told told his companions. "But I'm sure Officer Winters will forgive you." Murdoc introduced them.

They bowed in mock humility. That one called Michel de'Angelo said, "We assumed he was a poet."

"Maybe I am a poet," said Winters.

"Winters certainly appreciates good poetry," said Murdoc. "I've heard him render excellent verse."

"Ah," said Michel. Apollo and Hermes likewise said, "Ah."

Winters stepped right and faced them. "Want to hear a poem?"

Their sallow faces sweetened.

"We'd feel honored," replied Apollo. "If you prove artistic, we might even admit you to our order."

Murdoc nodded to his companions. "Assume your seats as judges; you have a surprise coming."

Michel, Hermes and Apollo backed away, sat down and assumed expectant attitudes. "Let our candidate proceed," said Michel.

Winters cast about warily. His breath caught, though he betrayed no alarm. Where he had entered, there appeared no door, nor any window. Certainly door and window were there, but cleverly designed to look like wall, with pegs upon which hung coats and hats.

At his back, however, there was a door of rough planks, plainly visible, at its right a small window. Winters chilled, yet sweat beaded and ran down his face.

"Our guest has stage fright," Murdoc observed suspiciously.

Winters sleeved his face. "Yeah, speeching always did scare me stiff."

Murdoc smiled craftily. "We quite understand; nevertheless, please proceed."

Winters squared his shoulders, maintained tense alertness. He recited his coon-dog verse, then waited uneasily.

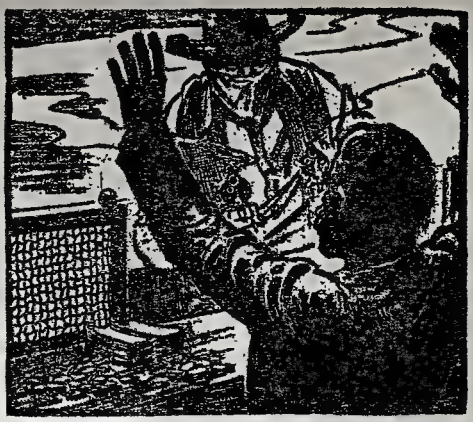
His judges looked at one another, nodded and rubbed their chins in open-mouthed delight.

"Amazing!" exclaimed Hermes.

"Divine!" declared Apollo.

"Out of this world," said Michel de'Angelo.

WINTERS concealed rising anger with difficulty; his recent scare roused smoldering ferocity. Respecting these monkeys, he had said nothing to Bogannon. But Marshal Hugo Landers at Brazerville had given him their story; they were insane scoundrels



who would have murdered for a horseshoe nail.

Winters said with feigned conceit, "Want to hear another?"

"Oh, yes," his judges answered.

Winters recited Myra's favorite verse. Their enthusiasm wilted then.

"Inexpressibly trite," said Michel.

"Sickening sentimentalism," said Apollo.

"Sloppy," said Hermes.

Michel said, "Had you been content with your first offering, we might have accepted you into our society, but that second piece spoiled your chance; we would bid you good-night, sir."

Winters' face hardened. "You don't disappoint me none. But you'll have questions to answer, unless you tell me mighty quick where Greenleaf Baytree is."

Murdoc resumed his role as host. "It's most disappointing, Winters, but Baytree obviously has disappeared." He glanced at his comrades.

Michel nodded. "Yes, he left today."

"Just after noon," said Apollo.

"Being angry at us, he will not return," said Hermes.

Winters backed up. His hand reached behind, unlatched and opened their only visible door. He said coldly, "Baytree won't come back, if he's smart; in my opinion, this is a buzzard's nest."

Murdoc stood only a few feet away,

set to give him a push. His expression was anxious, crafty. "Winters, to me it seemed we had one common interest, that of ridding ourselves of a criminal, but I regret having extended hospitality. Therefore, goodnight."

"Going will suit me better than you," said Winters.

He turned as if to take abrupt leave, but stopped and shrank back in pretended fright. From an eye corner he saw a shadow move; he heard quick sounds behind him. Swiftly he stepped aside, and as he did so Murdoc's body lunged past him. A terrifying scream tore from Murdoc's throat as he missed his objective and momentum carried him into empty space. That scream grew fainter each moment as he went down into cold and final darkness.

Winters had backed against a wall, sixgun in hand. "You monkeys are under arrest," he declared with restrained fury. "You are a pack of murderers, and you'll hang until your eyes pop out. Line up."

Whether they were bound by an hypnotic spell, or saw their doom in any event, they lined themselves in single file. Winters witnessed something then that gave him shivers. Those three cloaked and slender loonies marched straight ahead without pause. First Michel, then Apollo and Hermes stepped into emptiness and fell to their deaths without a whimper.

Winters holstered his gun and sleeved his face.

Slowly he closed their treacherous door. Now that this latest crisis had passed, he felt weak. His hands trembled. He was so unnerved that he had to sit for a while. At their rustic table stood a crude chair. He sat there, and after many hazy seconds discovered a paper lying before him, beside it ink and quill.

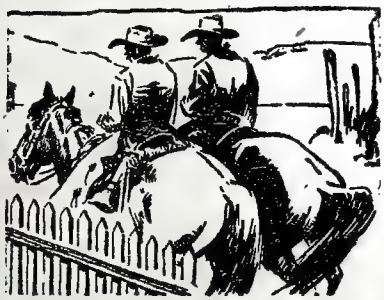
On this paper, somebody had written a verse, possibly part of an unfinished poem:

Now we hang our lantern high,
That wandering souls may see its light
And come home. When death is nigh,
Give us, too, a twinkle in our night.

This, thought Winters gloomily, was something to remember. Poets were far beyond his ken, but of one thing he was sure: they could make a man think.

★

Mr. Lon Williams, author of the "Lee Winters" stories, also writes a series of yarns about another fascinating character Judge Wardlow Steele of Flat Creek, and his nemesis, Lawyer French Demeree from Tennessee.



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WESTERN ACTION

THE RED MAN'S STORY

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16. The Eagle Departs

WHEN AGAIN I woke up, the sun shone brightly through the Elkskin-covered tipi. Looking over at Anette, who was still soundly asleep, I stole silently from under the buffalo-robes. I left the tipi and entered the lodge of Iron Bull, where the old chief sat crosslegged in his favored corner, smoking his pipe of kee-nik-kee-nik, while his squaw was busy working on fine buckskins which had recently been tanned. I knew she had great skill in making fine dresses from the softest of buckskin; also did I know how those fingers of hers could bring out all the beauty of multi-colored beads, and quillwork.

That gave me an idea: Anette needed clothing. What she was wearing, was not good; the long ride from the settlement had done the clothing of all the girls no good. Walking over by the old one, I put my arm around her bony shoulder and said, "My mother has worked hard and faithfully for many summers and winters. My mother, like my father, has grown old; there are many maidens in our village; let them do your work."

Looking up at me, a faint smile on her old and careworn face, she said "Never before has my son called me mother; and although I love you as one of my own flesh and blood, I have kept silent, hoping that some day my son would call me mother. Now you have, and I am happy. But tell me, what is it my son wishes from his mother?"

She had seen through me, she knew I wanted something from her. Smiling down at her I said, "The spirits have granted my mother much wisdom, and great knowledge. She has seen through the Eagle; she knows that in my heart there is something I wish. Yes, my mother, there is something which only your hands can make. Will my mother make a dress that will fit the woman I hurt when something evil had entered my heart? I have done her a great wrong; I wish to bring her something which will gladden her heart. Will my mother make such a dress?"

"I will make the dress my son wishes for, then my son will also be happy."

"My mother will make it from the finest of skins, make it more beautiful than anything you have ever made, lavish it with fringes and beads. And from the *Pahin* (porcupine), there must be quills of many colors. Let other women help you, so the dress will be ready at the end of four suns; for when again the earth has become dry we shall make *Tado Bakpan* (mincemeat). Will my mother grant the Eagle's wish?"

"My son has but to speak, and his wish will always be granted."

Hugging her closely, I patted her old, and wrinkled cheek, and walked over by Iron Bull who had watched us closely. "My father must make ready for *Tado Bakpan,* which must be made now; the *Canpa Yunirasni* and the *Ikeeun Hantanhanca* (chokecherries and wild grapes) are now ripe. Let the young girls gather the berries; and the braves who have knowledge of the wild-tree bee, gather the *Tumagacahanpi* (honey). When the mincemeat has been made, then let the council-fires burn; for soon I shall take the *Haska Winohinca* (white women) to the Fort beyond the Big Bend."

"My son, who has now made his mother happy, has shown his heart is great. *Tado Bakpan* as he wish it shall be made." Carefully knocking the ashes from his much decorated red stone pipe, he arose from the floor; and together we left the lodge—he to send the women, and braves out to gather the needed fruits, and honey; I to attend to other matters.

Leaving him, I entered my tipi where I found Anette combing her hair. Speaking gruffly, I said, "It is the duty of a squaw to cook for her master. Why has my squaw not done so? Does not she know that the Eagle hungers for food?"

Tears had entered her eyes while I spoke. I had again hurt her; but this time, only her feelings. Raising her gently to her feet, I smiled down at her. "Does not the little one know I spoke only in jest, and meant no harm? Come, let me wipe the tears flowing from the darkness of your eyes."

"You called me a squaw; I don't like that word."

"If Anette doesn't like the word, she nevertheless will have to like it. For while we are here, and you become my wife, my people will always call you the squaw of the Eagle. But to me, dear one, it will always be, 'my wife'. Come now, we must eat, I hunger for food which you, as my wife will make."

BY LATE evening, much fruit had been gathered, and as I have promised to tell how Indian Mincemeat was made, now is as good a time as any. *Tado Bakpan* (mincemeat), or as it is often called, *Pemmican,* is now something which is remembered only by the older Indians, who are still making it—but in smaller quantities, and for their own use only. Still, it was a food which even white folks cherished very much. In the earlier days, it was gained from the Indians by freighters, and traders who plied their trade throughout the Dakotas and Montana, buying up fur, buffalo-robes and *Tado Bakpan.* Once enough of the stuff had been bought up, it was shipped east where it was considered a delicacy.

Most of the *Tado Bakpan* made by the whites today is far from being like that made by the early-day Indians. Today, we can buy mincemeat at any store, made in modern factories. The Indian product was made under primitive conditions—maybe not as sanitary as our modern ideas would have us wish, but still much cleaner than some of the present day foods we are getting.

The primitive article was made from buffalo, elk or deer-meat, chokecherries, wild grapes—when near the mountain ranges, sarvis-berries—and of course honey and marrow. The Indian mincemeat was a product of the natural resources of the country, and in the earlier days the Indians put up large quantities of mincemeat because it compacted the greatest amount of food value, into the smallest possible bulk. Traders, trappers and freighters, found it a handy commodity for the same reason. With white traders, Indian mincemeat became a commercial article; with the Indians, it was valuable as a trading medium, and its production was greatly increased. For those same reasons of high food value and compact volume, many of the so-called explorers carried large quantities of it into the then-unknown parts of the country; and for that matter, to the more remote parts of the world.

Mincemeat, made in modern packing-houses of today, is far from being as good as that made by the Indians; and although it is made—almost— similar to the processes used by the earlier-day Indians, it does not contain the cherry, grape or marrow—or for that matter the wild meat or honey. So, as can be seen, it is far from being as good. I am not saying this because I grew up amongst the early day Indians. But were I to take my choice between five pounds of Indian-made mincemeat, and ten pounds of modern packing-house stuff, I would take the five pounds made by the Indians. It is better, both in nourishment, and in food value, as well as being what I can truly say to you, a sure cure for stomach ulcers. Both General Miles and Sherman cured their ulcers by eating it; it is perhaps the tender seed of the chokecherry which carry the death-blow to the ulcers. I know of many who have cured their ulcers by eating the chokecherry alone, being sure to grind the tender seed with their teeth, and swallowing all.

As for the Indian-made *Tado Bakpan*, it isn't dirty. It's made clean, but of course in a primitive way. Freighters along the Fort Benton and Fort Whoop-Up trails, trading with the Indians, bought up wagonloads of Indian-made mincemeat, and shipped it east.

The method used by the Indians in making mincemeat, was quite simple, but it soon became a wholesale operation. Large parties of Indians would throw up camp along the game trails during hunting season. A spot would be selected near a game run for their camp, where buffalo, elk and other game traveled from grazing ground to water. At a strategic point they would build a series of mounds at intervals of several feet, quartering the path, and large enough to hide a man. Many of these rock-mounds are to be seen today in many sections of Montana, and the Dakotas. However, this system was used less and less after the Indians secured enough firearms, and were able to get their game under ordinary hunting conditions.

At the time set—usually on a stormy day—the hunters would hide behind their mounds, and wait for the coming of the game herd. As the game passed at close quarters, swift, silent arrows were discharged for a sure kill. The dying animals created but little disturbance, and the herd would not stampede away until large numbers had been killed. While the braves were preparing for their wholesale slaughter, the squaws were busy setting up drying-frames, some of which covered an acre of ground. Stakes were set in the

ground at intervals of about twelve feet; these had forked tops about five feet from the ground. In the forks were laid horizontal poles to complete the frames; poles were laid at intervals of about two feet on the frames to support the drying meat.

After the kill of the game, it was all the squaws' job; they quartered the animals and brought the meat into camp where it was sliced into thin slabs—often of great size—and hung over the drying racks extending to a length of a hundred yards or more. After the meat was placed, the squaws would build a string of smoldering fires under the racks; these were kept burning for three to four days and nights, or until the meat was thoroughly dried—after which it was removed, and another supply of fresh meat put up.

While the drying was going on, the squaws made sacks of buffalo-hide, with a hard tan on the inside, and the hair left on the outside. The sacks were sewn with senew thread from the loin of the game killed. The bladders of the animals were also cleaned, and saved for containers.

The next job was to crack up the large leg-bones of the animals, and render therefrom the marrow-fat. After the meat was all dried, it was placed on a large flat rock, and beaten to a powder with stone hammers. While this was being done, other women were pulping the fruit; the chokecherries were dumped into large rawhide-bags, and crushed with long-handled stone hammers by pounding them up and down in the bags, and making sure to crush the cherry-seeds. The grapes were also being pulped at the same time. When the pulping was done, the two fruits were mixed together; then honey and marrow was added, and thoroughly mixed into the pulped fruit.

Next came the powdered meat; this was mixed and hammered into the mixture till it became a solid mass. Then it was taken out and worked as one would a bread-batter, until it became a solid loaf, when it was placed in skin-bags, and hung away for later use—mostly for use during winter months, when other foods were scarce.

All of the above work was done by the squaws, for after the game was killed, a buck would not disgrace himself with other work, than hunting, fighting, playing games or relating experiences from along the trails. Even the stone hammers were made by the squaws. They would select the stones wanted, and with a piece of flint, they would hammer a crease about a quarter inch deep around the center of the stone. Into this was twisted a string of heavy wet rawhide, with a thong extending about eight inches to provide a handle. After the rawhide became dry, it provided very handy hammers; the larger sizes were used for pulping fruit, the smaller for powdering dried meat.

While we did but very little trading in *Tado Bakpan,* the Blackfeet along the Sun River, and at Fort Benton and Fort Whoop-Up, made a business in trading it. The Blackfeet were not nearly as particular in the making of it as were the Sioux; the Blackfeet meant to trade it off, anyway. Their method of making the stuff differed in that they would hang their skin-bags low from a tree-limb; then they would put in a layer of powdered meat; next a layer of rendered marrow, followed by a layer of pulped fruit. Then a six or seven year old boy with none too clean feet, was placed in the bag to stomp the mixture, until it was solidly packed. This process was repeated until all sacks were full; then the tops were sewed together with senew thread. If any marrow remained after the mincemeat was made, it was packed in bladders.

After all the work in camp was completed, the *Tado Bakpan* was packed onto ponies and travois, and trans-

ported to the nearest Trading Post, where it was traded for other goods. The bladders of marrow were also traded, this was used by hunters and trappers for cooking grease, which was about the only kind available in those days.

AFTER TWO weeks of mincemeat making, there was enough to supply the entire village for several months, and all went back to the old routine of loafing. I, however, soon put a stop to the loafing of the younger braves; I had no intention of going through another winter like the past one, when many of the women and little ones had suffered hunger and cold. Rousing the younger braves to action, I made them go on daily hunting trips. My intentions were to save our present food supply; and as there was plenty of small game—such as prairie-chickens, sage-hens and Jack-rabbits—along the river, I kept them busy. With myself, there was the care of the white women who had to be taken to a place of safety, such as Fort Thompson, or Fort Pierre. Then there was the Redhead, who had promised to come back. Many weeks had passed since I had left him at the settlement; still, there had been no sign of him or the Sioux.

Entering my tipi, I found Anette sitting on the bed trying to repair her only dress with senew thread she had gotten from one of the Indian girls. That reminded me of something I had forgotten—the dress Iron Bull's squaw had promised to make. I would now make Anette happy; but first a little deviltry.

Reaching down, I took the dress away from her; looking it over, I shook my head, and threw it off to one side causing her to cry out. "Oh, no, no, you mustn't do that, it's all I have. Give it back to me; do you want me to go naked?"

Paying no attention to her I left, and entered Iron Bull's lodge where many squaws, both old and young, were busy making clothing from tanned deer and elk-skin. As I entered, mother Iron Bull arose and spoke. "Come, my son, much have I made for you. Here, this is for you." This was a pair of tight-fitting breeches, lavishly covered with beads and fringes; also a warshirt with the sign of the eagle inlaid in beads and quill-work, and two pairs of moccasins, also decorated with beads, and quills dyed in many colors. Pulling aside a blanket, she showed me a dress more beautiful than anything I had ever seen, it was made from tanned skins of the Antelope, and as soft as the down of the wild goose. The beadwork shone in all the colors of the rainbow; down the sides of the sleeves were streamers of quills closed in by beads along the sides; fringes hung lavishly over the entire dress. Besides the dress, were four pairs of moccasins, and beaded knee-high leggings as worn by the women. Yes, my adopted mother had done more than I had asked for.

Looking up at me, a gentle glint in her old eyes she spoke. "In the eyes of my son I see much happiness; this also makes his mother happy. Take it all; go to the one you love, then she, too, will be happy. But tell her, you who carry the name of the Great War-Eagle, that she must never speak in anger to my son. Should she, she will forever be banned from our people, for I cannot again stand to see my son suffer a broken heart. Go now; take with you all I have given you."

Taking the old one in my arms, I held her close and spoke softly. "My mother has given her son much happiness. No warrior has ever had as great and wonderful mother as I. I know, for in the sky I have seen much; and while resting beneath the mighty cottonwoods, I have listened to the gentle breeze of the south-winds blowing through the many leaves. There, I heard the spirits whisper words of wisdom; and while in the mountains, I have often spoken to the water spirits,

as they ran chuckling along down the stream. In these waters, my mother, were thousands of rainbow and speckled-trout, playing games with one another. There the spirits spoke of kindness, and of peace.

"But wait, I must try the breeches and other goods you have made for the Eagle."

They all fitted perfectly; and standing in the finery of a Chief, I spoke to the assembled women. "Look, women of the Dakota. Look, I am the son of the Great Spirit who rules over the land. But I am your master, for has not the spirit whispered into my ear for many summers and winters, that I would one day rule as your chief, and master. And have not I brought much booty to your village? And when winters' snows brought hunger and suffering to your children, did not I bring food to you, and your little ones?

"Much food has been made; much more will be gotten when again it's time to hunt the great *Tantanka* (buffalo). From the many hides I have brought, you must make many robes, for when again winter's snow has covered the land, I want those robes to cover your little ones, as well as yourselves. None will suffer while the Eagle commands; do your work women, and do it well. I go now, to bring happiness to another who came to me by the will of the spirit; only through my happiness, can you, and all of my people hope to become happy."

I knew, that these simple, but peace-loving women feared the unseen spirits; I knew that they, as the entire tribe believed strongly that I was their guiding spirit, protected by spirits that they themselves could not see. And the great gods know that I loved every one of them for their faith in me.

As I left, they sat with bowed heads, chanting prayers for my safety; their goodness, and kindness towards me I have never forgotten. They lived a simple peace-loving life, asking only that their white brothers leave them alone, and not enter their hunting grounds. But this, white men would not do; they rode roughshod over Indian lands, killing, and destroying all that lay before them, forcing the redmen to fight back. I saw much of it; I fought the white raiders, I killed them with the same savageness that these renegades killed the Indians.

ENTERING my tipi, I found Anette still, trying to fix her ragged dress. Taking it away against her protest I threw it outside, and smiling down at her, I held the buckskin dress before her and said, "Come, little one, this is for you."

I was happy, because in her lovely dark eyes I saw both wonder, and joy. When she failed to move, I spoke again. "Come, it's for you. Look, here are moccasins and beaded leggings; it is all for the one I have learned to love more than the Golden-one. Come now, put it on."

When again I saw her, I couldn't believe my eyes. She didn't seem to be the same woman—never had I seen such beauty in women. Was it the dress which had transformed her into such loveliness? I knew not.

Crying softly from happiness, she fell into my arms and whispered, "Oh, my darling, I know now, that you are all mine and I am so very happy." After many happy tears, and much tenderness, she ran from the tipi; she wanted to show her new outfit to the other white women. She was so very happy that even I—hardened as I was—felt a lump deep down in my throat. Yes, I would make her my wife at the Fort.

Another week went by, then the Redhead, and the Sioux rode in. It was a happy moment when he dismounted, and came limping towards me and fell into my arms yelling, "Sure is mighty good to see yer still a-perkin', yo' fightin' son of the Sioux. Howsomever, sure left a mighty sorry bit of a gal back at

pap's place. All that gal been a-doin' is bawlin' 'er putty little head off. Wanted to come 'long with me and them redskins of yores; but I says, 'Nothin' doin', Sis; I ain't hawlin' no females what's been bawlin' out a partner of mine'.

"But sure 'nough feller; that gal's been mighty sick. I was to tell yo' to come right orn back. Said she wouldn't bawl hell out'n yo' no more. Somehows, I felt kinder sorry fer the filly; but then—awh hell, yo' knows what I allus said. Love 'em where yo' find 'em, and dawg-gone it, leave 'em when yer durned good and ready. Yo' ain't aimin' to head back, be yo'?"

"No, Red-one, I'll not go back to the angry one. But my friend walks with a limp; how come?"

"We-ll, that sawbones as come down from Deadwood, done said as how one of them slugs the Regan outfit planted in my hip, done went and busted somethin', which as he said weren't so good. But shucks, that ain't no matter, I be as good as I was afore we cleaned out that hellhole—anyways, will be arter I gets' me a bit of shuteye. Reckon I be mighty near tuckered out. And now, get me some grub; feel like I could eat a hind quarter of'n the nag I been a-ridin'."

"My friend will eat; but also I have many surprises for him. Come Red-one; I'll show you."

Leading him to my tipi, where Anette was resting, I said, "Here Red-one; this one I have taken for my wife. Does my redheaded friend like the Eagle's squaw?"

"Dawg-gone, sure beats hell how yo' allus haul off with the gals I want. Done made a date with this filly back at Regans, when I was bad shot up. Now, dawg-gone it, ain't that right, Sis?"

"Yes, but that was before I met the Eagle of whom you spoke; I love him, and will have no other."

"Yeah, it's allus been that a-way; this long-haired galoot gets all the good lookers. Me, I gets what he ain't wantin'."

"The Red-one whimpers like the wolf-puppy seeking its mother; as it is, my friend has much more than I. I have but a woman; but you, Red-one—you have a wife and a son waiting for you. Come, I will show you."

"What, yo' aimin' to tell me I has a son. Me, a daddy. No, it just ain't so; dawg-gone, it ain't so. Me, the daddy of a halfbreed—we-ll, anyways, lissen feller, has he red hair like me?"

Leading him to the lodge of Lone Bear I said, "Enter, Red-one; your wife and son will welcome you."

Leaving, I walked through the timber; reaching the river, I leaned silently against a cottonwood watching the water move slowly downstream. I was troubled with many sad thoughts; what the Red-one had told me about the Golden-one crying had me worried. She had been my first real love; I had cared only for her. Had she known the real truth—of what really happened at the hanging of the Regan gang?

I didn't know; it troubled me. Had I been wrong in leaving her?

WHILE MY thoughts were wandering, I suddenly felt the presence of someone near by. Looking through the corner of my eye, I saw the daughter of Standing Buffalo. Without turning I spoke. "Why does the daughter of *Tantanka Na' Zinhanazin* (Standing Buffalo) watch the Eagle?"

Coming close, she began to undress; soon she stood naked before me, her strong, womanly body shining in the sunbeams peeping through the leaves of the cottonwoods. When she spoke, her voice was soft, but to the point. "Will not my master go swimming with the woman who has always loved him? I could give to you many children—children of whom only you would be the father. But come, you who came here to speak with the spirits of your troubled mind, does not the Eagle know

that white women are weak? And not worthy of the Eagle's love?"

Looking her up and down, I spoke savagely. "The daughter of the great Tantanka has spoken well; but she has also acted like the snake, who foolishly attempted to swallow the Eagle. Yes, your body is beautiful; but have not I often said that the daughter of Tankanka is not for the Eagle?"

I knew, of course what she was up to; she was making one last attempt to force me into having relations with her —which under Dakota law, would mean that I had accepted her as my wife. As for women stripping before men while bathing, that was a common practice among all tribes throughout the west. But with the men, it was different; few of them were willing to show what the gods had given them, and most often would enter the water with their breech-cloth intact. Otherwise there was no shame; they had grown up to such matters, and the women enjoying it, would often tease the men for being bashful. So it can be seen that there was nothing shameful in the fact that she had stripped before me.

But I knew that somewhere inside the timber, eyes were watching; should I fall into the trap, which had been so cleverly set, those eyes would have become witnesses to the fact. Walking away from her, I said, "I go now; for have not the spirits warned that the timber has many eyes? As for you, who stand naked before the Eagle, go —do your swimming. The Eagle has a score to settle with fools who have dared set so simple a trap, and perhaps I shall call the sickness of the unbecoming upon you."

Walking towards the village, I caught the slight sound of someone moving through the underbrush; speeding up, I entered the village just as Standing Buffalo and Red Robe came out of the timber. With a flying tackle, I downed Red Robe. I drew my hunting knife, swung the point of the blade across his throat, cutting the skin deeply; then I spoke. "Does not the one who carries the name of the Red Robe know that death follows those who would conspire against the Eagle? Since childhood the Robe has been my friend; is he now to become my enemy?"

"No, no, I did wrong; I did so only because the daughter of *Tantanka Na' Zinhanazin* promised to become my wife, should she fail in her mission to gain you. May the good spirits guide the Eagle's knife if this be not so."

Getting up, I looked down at him and spoke. "Rise; go to the woman who has promised to become your wife. Should she fail to fulfill her promise, come to me; I shall then make medicine which will destroy her. Go, let her lick your wound, and be thankful that the spirits held back my hand."

Turning to Standing Buffalo, I spoke again. "Come, you, who carry the name of the Tatanka. Come, join the Eagle in battle, I wish to slice your throat, so you cannot again place so cowardly a trap for the Eagle. Or could it be that the Buffalo fears the talons of the Eagle?"

Many warriors, including Iron Bull and the Redhead, had now appeared on the scene; it would be a battle to the death, should Standing Buffalo agree to fight.

Taunting him, while holding out my left arm, I spoke again. "Come, or does the great Tatanka fear the Eagle? Come, let your wrist be tied to mine, or leave the village; there is no place for such as you here."

Folding his arms over his broad chest, he said, "What chance has the Buffalo against the Eagle, whose knife is guided by the spirits? I am the father of many children who need me; should I fight the Eagle, they would be without a father to supply the needed food—they too, would die. No, should the Eagle and his father, Iron Bull, wish it, then I shall take what is mine

and leave. I, Tatanka Na' Zinhanazin love the Eagle. I have loved him since his boyhood, hoping, that someday I, too, would be able to call him my son, and become the grandfather of his children. That has also been the wish of Iron Bull. Now it cannot be; I submit to the wish of the Eagle, and shall leave if he wish it so."

I knew he spoke truly. Sheathing my bowie knife, I said, "Many times have I rejected offers of women; and I will not now, let others pick my woman. Only the spirits can guide the Eagle in choice of women. To Tatanka Na' Zinhanazin I have spoken; go to your lodge. Forget that the Eagle had become angry, but do not again attempt setting traps for the Eagle. Does not Tatanka know, that I am forwarned by the spirits who follow in my path?"

TURNING, I walked away, Iron Bull and the Redhead following. Reaching my tipi, the old chief asked, "Why did my son become angry?"

When I told him, he sadly shook his head and said, "Does not the Tatanka know that he cannot like the fox sneak in on the Eagle to whom the spirits whispers all. Does he not know, that to anger the Eagle, is to anger the spirits? I know, for in the eyes of my son, I saw the fire of the thunder-gods. My son is great and good, but his anger frightens his father; better it be that no one comes between my son and his choice of woman."

"My father has spoken well, for he is right in his spoken words; I shall leave my people, should they try again. Listen, my father, when again darkness has settled over the land, you will light the council fires, I wish to call council with the spirits for guidance."

Entering my tipi, I sat down with the Red-one at my side. I spoke no words; I was troubled. Then the Red-one spoke, as he placed his hand on my shoulder. "Lissen, feller, it be a heap better if'n we headed out'n 'ere; yo' be needin' a bit of new scenery. Somehows, I be afeared yo' will kill some of yore redskins, and that wouldn't be good; thought sure yo' was aimin' to cut the throat of'n both of'n 'em. Lissen, feller they weren't meanin' no harm; they like the old chief, are lovin' hell out'n yo', and like the old one, wanted yo' to marry a Injun gal. Yeah, I know, they should a known better'n sneak in on yo' the way they did, but feller, they love yo' more'n yo' know."

"My brother has spoken well, and leave we shall; but where is Anette?"

"She was out yernder, when yo' dang near cut the throat on Red Robe. She run off with them other females; reckon they got scared—anyway, they run off cacklin' like a lot of old hens. Better it be if'n yo' and me rides out'n 'ere; ain't nothin' fer fellers like us nohows. What say, feller?"

"We'll ride, Red-one; but first I wish to send fear of the spirits into the hearts of those who did wrong. Does the Red-one remember the village of Po'Ge Pi'Sto on Otter Creek in Wyoming?"

"Yeah, reckon I do; but dawg-gone it, what's that got to do with us now?"

"The Red-one will remember that day I entered the Arapahoe village painted in the colors of the White Eagle. Tonight, when the council fires burn, I shall again enter as the White Eagle, and the messenger of the Great Spirit.

"Much is to be done before darkness has settled; my friend will prepare the women for the trail leading to Fort Thompson. Then he will return here; we have work to do."

As I spoke, Anette entered. Getting quickly to his feet, the Red-one hazed her outside. When he spoke, his voice came plainly. "Lisen yo', yer weren't aimin' to cuss the Eagle 'bout his fight was yo'? If'n yo' go in there and cuss 'im, he will be of'n yo' fer life. And me, what yo' think I'll be doin'? I'll slice that purty little throat of yores. He

quit one female 'cause she bawled hell out'n 'im, and the ways I be lookin' at it, there ain't a durned one of'n yo' females worth havin' nohows. Come on with yo'; I have orders to haul all of yo' females out afore yo' can raise a ruckus. Get movin' afore I kicks hell out'n yo!"

"I'll not go. I want my husband, and for your information Freckle-Face, I have no intention of what you call bawlin' him. I love him, and what he did to them Indians was right. They tried to steal him away from me; the Kid told us all about it. Now, get out of my way, you redheaded savage, or I'll scratch your eyes out."

"Well, now, ain't she a purty little hellion when she gets her nanny up? Hustle up, honey; get in to yore man. And what fer yer bawlin'? Old Red ain't hurt yo' none; but I sure will less'n yo' get in there; get goin' darn yo'."

Coming inside, tears running down her cheeks, she came down beside me, saying, "Darling, I wasn't going to bawl you out. I love you too much, and I don't want to leave. Red said we all had to leave; do we?"

"Yes, tomorrow all white women will be taken to the Fort by the river; from there they will go to their homes. But fear not, little-one; I, too, shall leave and you will become my wife—that I promise. I have love for none other. But, you must leave now; I have much to do before darkness settles, and I must punish those of the fox who would have taken you from me; you will make ready to leave at sunrise."

Moving close against my body, she whispered softly into my ear. "Oh, my darling how I love you." Then she left, happy in the knowledge that she would soon become my wife.

WHEN THE Red-one returned I spoke of things beyond my knowledge. "My friend has often spoken of lands beyond the *Minisose* (Missouri river). I wish to see those lands; will my friend take me there?"

"Sure will, but I ain't knowin' much 'bout it. Howsomever, I has been to the Bluffs, and a few other dumps down river a ways. Yo' sure will be s'prised to see how folks be livin' back yernder in big baliwicks."

"Good, my friend will get my Arapahoe pony. Take him through the timber till you reach the creek; wait there, and let no one see you, for tonight the spirits will speak." Grinning he left.

Stripping down to my breech-cloth, I painted my face and body white, finishing off with black stripes along my ribs, and two wing-like strokes on the sides of my face. Darkness had settled over the land when tom-toms began to boom, calling all to council.

I waited till all had gathered; then I moved silently into the timber, and ran to where the Red-one was waiting. Looking me over, he grinned. "Dawg-gone feller, thought sure I was seein' a ghost, with them black stripes yo' looks like a skeleton. Yeah, yo' sure 'nough orto scare hell out'n all of'n 'em."

Donning my warbonnet I mounted and spoke. "Go back, Red-one; stay close by the circle. Watch for me on the butte south of the village."

Riding off, I circled through the hills and came in behind Lookout Butte, which reared high above the village some three hundred yards to the south. Riding up on top, I stood facing the village below. From here, I would make my entry to the inner circle of the council, and forever still the wagging tongues of those who had attempted to force marriage of a squaw upon me. Standing silhouetted against the skyline, the moon directly behind my back, I knew, I could easily be seen by those around the council-fire.

Raising my arms towards heaven, I sent forth the long drawn howl of the wolf and waited. Soon I noticed activity; then screams from women and children rose into the night, tom-toms

began booming in mad crescendo.

Raising my arms again, I now gave the long, but mournful howl of the prowling lobo, following up with the hoarse cry of the eagle. Then slowly, I rode down hill towards the village; riding directly into the again-formed circle, I reined up before the fire. Sitting stiffly erect, I kept silent for a long moment, then I spoke.

"This night the Eagle was summoned by the spirits who came out of the darkness to speak of that which must be done; if it is not done, then I, being in accord with the spirits who await my return, must forever leave my people."

Hiya Hiya (no no) thundered from out over the gathering. "Speak to us of your wish, and that of the spirits and it will be done. Is it Red Robe, Standing Buffalo and Dove In The Sky, who has brought this upon us? Let the Eagle but speak, and we shall send them away with the mark of shame cut upon their forehead. The Eagle must speak."

I raised my hand and silence fell over the large gathering; then I spoke. "The ones who carry the name of Red Robe and Dove In The Sky will enter the circle, and stand before the council-fire."

When they had entered, I said, "To the Robe I speak now; has the woman who promised to become your wife fulfilled her promise?"

"No, she will not; so she has told me."

"Then to the daughter of Tatanka I must speak words as spoken by the spirits." Pointing at the butte I said, "Look, on the hill await the spirits for my return. To the one who carries the name, Dove In The Sky I speak now, for you are about to vanish. Flames from the fire before you will enter your body; they will burn your insides, frying the fat from your body; they will continue to burn causing much pain, until your skin has dried over your bones, and you will die an insane woman."

While cries of fear sounded throughout the gathering, she fell to her knees begging, "No, no; oh you of the spirit whom I have loved since childhood, let not this happen to me. I will follow the wish of the spirit, and take Red Robe as my husband, and bear him many children."

"Rise then woman. And you, Red Robe, cover this woman within your blanket, for she is now your wife."

Calling Standing Buffalo and Medicine Crow, I spoke again. "You will stand by the other two before the council-fire; you four schemed against the Eagle, and the spirits. I must speak now of that demanded by the spirit. You four will leave the village, and journey to *Paha Okitanin Mato* (Bear Butte Mountain). Within this butte, as you know, live the spirits. You will go to the highest point, and stay for two suns. No food or water will you take up; should you, great sickness will enter the Dakota Nation. Twelve warriors will follow your protection, and to see that you fulfill your mission. The fat which hangs around your bellies will be gone, when again you come down. Go now; make peace with the spirits; then return."

SILENTLY they left the circle. I had been hard on them; the trails leading to Bear Butte and the Black Hills were long and tedious. A month or more would pass before they could hope to return. I knew, from the deathly stillness hanging over the gathering, that the punishment had been too severe, but I cared not. I was tired of their attempts to force me into marriage with a tribeswoman; I was white, although in action I was Sioux.

Looking out over the gathering, I spoke again, "I have followed the wish of the spirits only. And when again the sun rises, I too, shall have left to deliver the white women to the Fort by

the river beyond the Big Bend. Should I fail to return, it will be because the spirits are angry."

Startled by a cry from someone in the gathering pointing towards the butte, I looked up. Something was there; a figure seemed to float back and forth along the skyline. I wondered what it could be.

Turning to the elders, I spoke. "The spirits are calling; the Eagle must go."

I turned my Arapahoe towards the butte, and the entire gathering began chanting as I rode slowly.

Reaching the top where the figure stood, I was greeted by the chuckling voice of the Red-one. How had he gotten there so quickly? He had been at the council when I had arrived, but here he was, covered with a blanket. I said, "The Red-one has done well as one of the spirits. But tell me, how did my brother get here so quickly?"

"W-e-l-l, sorter got to thinkin' maybe as how yo' could use a few more ghosters, so I heads fer my nag and rides lickity split till I gets 'ere, and made me a ghost. Anyways, how did I make out?"

"Good, but you must leave. Get back quickly; they must not miss you. Should they find we were faking, it will not be good. Hurry, Red-one; I'll stay here long enough for you to get back. Hurry."

As he disappeared down over the south bank, I stood facing the village long enough to give him time to get back; then I, too, rode out of sight, and returned to my tipi.

With oil from the porcupine, I soon removed all traces of paint from face and body. Crawling under the buffalo-robes, I found what I had failed to see. Anette was there; she whispered, "Darling, when we reach the Fort, you will not send me away with the others, will you?"

"No, dear one; at the Fort you will become my wife. We will get married in the way of the white man; I have been told it will bind us together for as long as life will last."

When again the sun began rising above the eastern horizon, we were well on our way along the trail leading to Fort Thompson. Red and the Kid driving the wagons. Towards evening I called a halt, and made camp on the upper levels where the great plains stretched out for as far as the eye could see. While the Redhead and the Kid took care of the mules, I called the girls off to one side, and gave each one thousand dollars of the money taken from Maymie. Then I spoke kind words to all of them. "Now you girls who have suffered much under the will of a she-devil, you have much money. From the Fort, you may be able to go down river by boat, and later to your homes. Never again must you let yourselves be lured into leaving your homes to enter a land of which you know nothing. Hide your gold well; do not pick up with men at the Fort. Many of the men you will meet there are what you call unscrupulous; they will steal your money, should they find you have it. Go, now, prepare food for which I hunger."

It was a happy lot of girls who fell around my neck with many caresses of happiness, until Anette angrily ran them off, yelling, "Stay away from my man."

Darkness was settling, when the Red-one pointed out over our back trail. "Looks as if we be goin' to have company; could be trouble, maybe. What be yo' thinkin'?" We watched the dust cloud closely; it wasn't long before two riders came into sight. From the way the riders sat in their saddles, I knew it was none other than How and the Hawk.

As they entered camp, they rode up to where the Red-one and I stood. Looking down at me sadly, How spoke. "Would my Chief leave his friends to suffer in the village, where only idleness is found? I, and *Pahin Kaptuza*

(Split Hair), do not wish to gather fat in idleness, and die as old men. Only with *Kin Wambdi, Ka Kin Sunkto Keka Sa* (The Eagle, and the Red Wolf), can we find peaceful action in battle. Cannot we follow our master, and the Red Wolf?"

Grinning up at the two warriors who had followed the Red-one and myself through many a scrape, I asked, "Was it fear of a fat belly, which caused my brothers to leave the village? Or, was it only a desire to follow the Eagle and the Red-one into expected trouble? Come, koda, dismount and sit."

Grinning the two dismounted, and picketed their ponies out to graze.

Early in the afternoon of the following day, we pulled up at the edge of the upper table-lands. Looking down over the great slopes leading down to the lower flats, I knew we were nearing the Fort. The thought of the men and soldiers within that Fort settlement caused a burning hate to enter my heart; I knew that those living within the Fort settlement had but one thing in mind—the destruction of my people. Still, I must enter the Fort to deliver the women, and see that they were sent to their homes, and safety. Turning to the Red-one I said, "Make camp."

"Aw hell, feller, we ain't but a few miles from the danged Fort spread; let's move in." But the hate he saw in my eyes, caused him to make camp without another word. He knew I hated the ones within the Fort; he knew, as I knew, that the Indians were being cut down with brute force, their lands stolen, their buffalo killed, by such as those who lived within the Fort.

I left camp, I wanted to be by myself; riding into a gully I dismounted and stretched out on the ground, my thoughts wandering back over the past brutalities committed by such as those within the Fort. Why had they, and why did they yet, continue to drive the Indians from lands which had always belonged to the Indians? My thoughts were broken when someone spoke; it was Anette. Looking up at her, I wondered, how could so much beauty be placed in one little woman; rising to my feet I took her in my arms and said, "Come, you who have been given much beauty, we must go back to camp for I hunger for food. Tomorrow we shall enter the Fort."

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Another Special Feature
by White Eagle

THE LAST DAYS
OF SITTING BULL

appears in the new June issue of

FAMOUSWESTERN

PETE AND RE-PETE

Special Feature by Cliff Webb

IN 1850 many Chinese were seeking a refuge in the northern part of California after having been, in many cases, forcefully driven away from the mother-lode to the south. They filtered into the rough, mountainous part of the state where the towering Siskiyou mountains were rumored to be literally "full of gold". The rugged terrain and harsh winters kept many of the less hardy miners out of this district but these Chinese, willing to work anywhere if left alone, found that here a living could be made. They settled on the tiny creeks and small rivers which were later crowded with miners. The Chinese earned a comfortable living, and it is said that many of them left these hills to return to China as rich men.

Two brothers, very much alike in appearance—Ling Yi Chu and Lang Yi Chu—were among these who found a place to settle near the junction of the Salmon River and the Little North-fork of the Salmon River. Their ready smile and good-heartedness soon made them many friends among the other miners, and their difficult Chinese names were soon supplemented by nicknames which only mountain men would think of.

The first incident took place when Ling was put in jail overnight in Yreka, after imbibing a little too much. Lang, who was buying supplies in the neighboring town of Etna, was also able to have himself placed in jail for the very same reason. It was not until a week later that the two brothers knew of the other's experience. Nothing was thought of this incident, other than that it was "odd". However, later that summer Ling broke an arm when he fell from a sluice-box; and at practically the same moment, Lang was struck by a broken guy-wire which broke his arm also. It had all happened within a matter of seconds; yet the two men were working out of sight of each other in two different work gangs. Immediately Ling was nicknamed "Pete" and Lang was nicknamed "Re-Pete". An odd part of the accident, which was not brought out until later, was that Pete had broken his right arm (he was right-handed) and Re-Pete had broken his left arm (he was left-handed!)

A long chain of similar incidents followed, and in 1856 Pete got a severe case of ptomaine poisoning. Immediately Re-Pete, who knew nothing about treating a sick man, called in a neighbor —who in turn insisted that bark of cascara was the only antidote (why this particular remedy no one seems to know). Re-Pete, anxious to help his brother in any way, hurriedly ran into the woods in search of a cascara tree.

The details of his search were never fully learned, but it is guessed that, while searching, he stumbled over a hornets' nest—probably at the base of the very tree from which he planned to strip the bark. At any rate, when he returned to town he was covered with stings. His eyes were swollen shut, and his jaws were locked, from the tremendous amount of poison which had been injected into his system by the angry hornets. He had apparently refused to be driven away from the cascara tree, and had allowed the hornets to continue stinging him in order to get the bark. He was in worse condition than his brother, but he had brought back an armload of the bark which the neighbor had requested! That night Pete passed away; a few minutes later, Re-Pete lived up to his nickname—by repeating his brother's actions, even when it came to dying!

Judge Cain thought he'd been real clever in the way he got rid of a chicken-thief, but when this man turned out to have been the sole witness to a murder...

ABLE CAIN AND THE GRIZZLY

by A. A. Baker

JUDGE ABLE CAIN'S face reddened with exertion as he dragged a chicken thief from the iron doors of Quinn's icehouse. The thief, a lean torso on massive fat legs, was dead drunk. Able was suddenly fearful that if he hoisted the man on to the sodden feet, the weight of the dragging legs might break the skinny spine. So he stepped carefully, dragging his victim through the crowd gathered around the porch of Sharon's Saloon.

"Stiffer'n a hawg on ice, Judge!" laughed a handlebarred miner. "You can throw me in your calaboose anytime if you'll guarantee I'd stay drunk."

"He got it—" puffed the judge, "from outside the jail." Able held up an eight foot bamboo pole. "See? Just like he gassed those chickens. It's hollow and he burned sulphur in it then held the end under the heads of the chickens. They gassed out and he filled a suitcase with the fowl. This morning, figuring to boot him reasonably sober onto the stage, we threw him into the icehouse; but sometime last night he ran this bamboo through a chink in the jail wall. He got the end of it into one of Quinn's whiskey barrels and sucked himself dead drunk. But, regardless, he's going out on the stage unless," the judge paused morosely, "the driver can lick me."

The crowd laughed, turning back to the stand on the saloon porch. Sharon, chalk in hand, was entering the morning's total of the big Apex Bear Hunt. "Crooked Creek miner named Oathes is way ahead. He brung in a grizzly weighin' twelve hundred. With jest one more day, if anybody can top him'll be known tomorrow. If nobody does, Oathes wins the pot. Dollar a pound..."

"Can you believe Oathes?" grunted Judge Cain. "Heard he was just taken along by his fourteen year old son. That the kid killed the bear and that

During the excitement, Able Cain sneaked the unconscious chicken-thief into the baggage boot of the stagecoach.

Oathes only carried in the meat..."

"Heard that same story before, Judge," laughed Sharon. "Heard it every year. I'm runnin' this bear hunt. If nobody—an' there's five hundred hunters out right now—brings in a bigger bear by noon tomorrow, Oathes gets the pot. An' by the way, Judge, what'd you say you are going to do with that pot you're draggin'?"

"Put him on the stage," was the doubtful answer.

"On Blow-Down's stage?" Sharon whistled in awe. "He *never* hauls no drunks. Says who ever got 'em drunk should take care of them. Says he'd sooner fight it out right in town insteada out on the road."

"Blow-Down is a public servant!" snapped Judge Cain.

"Somebody better tell Blow-Down," answered Sharon. "He's more like the captain of a frigate. He decides who rides, an' then..."

THE SALOON owner's attention was drawn away from his jocular argument with Apex's judge by a cursing row between two men who were hurrying down the boardwalk. A tall man, dressed for traveling in a shiny black California coat, was making disjoint-

ed strides, thrown off-balance by the weight of a carpetbag and the jostling he was receiving from his waddling fat partner.

"Thornton's leaving again," Sharon stated.

"Danged if he isn't." The judge shifted the shirt collar hold on his thief to his other hand. "And like always, Callaway's roasting him for leaving."

"Thornton's never made it yet," commented Sharon. "He gets that ten thousand in gold as far as the stage and, somehow, Callaway always gets him off. Partners sure do act crazy."

"You're a stinkin' mangy yella coyote!" The argument roared out as the half-struggling men drew near. Thornton, his string tie a splash of blue against his white shirt, shook his shoulder length blond hair violently. "Yes, Cal, you're a stinkin' mangy yella coyote an' *this* time I'm gettin' out! For sure I'm leavin'."

"All right, Bob, I'm what you say," bubbered Callaway. "I'm sure a snake-eatin' coyote but don't leave on that stage. We been partners..."

"Too damned long!" boomed Bob Thornton, his stringy adam's apple jumping. "You..." Thornton paused in stride, setting the bag down and facing Callaway's fat face, trying to catch the owlish eyes and hold them in focus. "You willin' to admit that bear is *my* bear?"

Callaway, faced with the question that would halt his partner's flight, shrunk like a man caught with a chill. He pulled up his short arms defensively, holding the right hand over the navy colt. Thornton, still holding a stern look, flipped the edge of his long coat back and showed the blue lining catching at the handle of his holstered gun.

The crowd edged back. Judge Cain, helplessly burdened with the bamboo pole in one hand and the sprawled drunk in the other, stood passively. He breathed deeply, expelling the breath only when Callaway dropped his arms and shouted,

"That's *my* bear, Thornton, 'cause I killed it! Get onto your stage. Take your damned gold and get to hell gone!"

"Never had no intention to do nothin' else!" shouted Bob Thornton and began pushing through the crowd, leaving a choleric-faced Callaway kneading his knuckles like a man cracking walnuts.

"There's the stage," yelled Sharon. It caught the crowd in surprise. A frightened miner lifted a foot for the porch and missed, crashing his chin against a loose board, but managed to crawl under the mud sills. The rattle of wheels on gravel gathered strength. The snap of turn buckles tinkled with the thud of iron shoes. Blow-down's Sacramento stage was coming in. It rocked; it bounced on its leather springs. The holstered whip, its tip a feathered dab of white buckskin, snapped on the crossover causeway leading from the second story of the Apex Hotel to Sharon's Saloon. Blow-Down Brown sat impassive on his creaking juggernaut. Unsmiling, he appeared to be unwilling to bring his race to a halt. Then, rearing up, he planted his bootheels against the apron and hauled back on the reins. The stage jumped, seeming to crash into the braced rumps of the horses. Only then did Blow-Down lift a heavy foot and bear down on the brake.

The rear end slewed. A white hat flew out a door window. The several suitcases banged against the baggage rack behind Blow-Downs' seat and held for a second. Then the driver flipped into the air and showered heavily down on Judge Able Cain.

THE JUDGE, blinded by a blow from a suitcase corner, staggered. The bamboo pole caught him between the ankles and he went down. His heavy body sprawled over the chicken thief.

"All out for Apex!" shouted the driver. "Unload so's we can get goin'. Step carefully; don't want no passengers injured."

"Excepting the stage driver." The judge was back on his feet. Judicial dignity had been punctured. The judge was out to retrieve such dignity by proving his prowess as a man. The boardwalk creaked as he reached up and hooked a hand in Blow-Down's sleeve garter and yanked. The garter came loose in his hand.

"That was given me by a saloon girl in Crosstown," grunted Blow-Down, "but you can have it, Judge."

"Come off of there!" shouted the judge, feeling like a fool trying to yank a sheet from a ghost.

"Right now?"

"Right now!"

"Awright, Judge, give me room." Blow-Down edged his foot under the strong box and tipped it out, then followed. The box caught Able's toe and he hopped, bringing himself to an anguished halt by gripping the porch stanchion. Blow-Down braced himself against an expected attack by hauling forth a grease daubed wheel spanner. But the judge suddenly folded, his body weak with laughter, his mouth open in gasping hoots of pure mirth.

"S'matter, J u d g e?" Blow-Down spluttered.

"Can't win..." Able hooted. "I already have a bump on my head, a cut on my shin, and a broken toe—and you haven't yet raised a fist."

"An' you'll get this g r e a s e daubed..." Blow-Down was beginning to grin. "This spanner right in your puss next, if you come at me."

"All right, B l o w - D o w n, I'm whipped; go on in, I'll buy everyone a drink." Able turned and picked out the saloon keeper in the grinning crowd. "Sharon, give Blow-Down the best. I'll wash up and be right in..."

"Make it quick, Judge," Blow-Down roared with the strut of a victor. "I got to load up an' git; Sacramento's a long ways down the mountains."

The judge nodded and started toward the hotel. Blow-Down followed the crowd off the porch and into the jammed saloon. The judge, his coattails flying, exposing red suspenders over a clean white undershirt, whirled. Two long steps and he was back. He hoisted the sodden chicken thief, threw back the straps of the tail end baggage compartment, quickly stuffed in the limp figure and began strapping the leathers. Then, as an afterthought, he retrieved the bamboo; bent it double to fit and stuffed it alongside the man. Clapping the dust from his hands, he stomped onto the porch and into the saloon.

The departing stage, taking the lower turn past the Clamper's Hall, swayed on two wheels before disappearing behind Runkle's Stable leaving the watchers wondering if it would ever straighten out. With the stage went Bob Thornton, his valise of gold, the drunken chicken thief and the black stare of Callaway.

The judge chuckled over the head of Sharon. "There he went."

"There who went—Bob Thornton?"

"Yes, and also the chicken thief."

"No! So that's why you folded insteada fightin' Blow-Down?"

"Stuffed the carcass into the baggage boot," laughed the judge.

THE JUDGE awoke. He pushed himself up onto an elbow, waited for the creaky springs to become silent, and listened. Wheels were racing down the main street. Excited wheels, banging the sleeping mountain night apart. Then the keening shout of Blow-Down Brown echoed against the darkness.

Able Cain dropped his stocking feet to the floor and lit the wick of the cold lamp. With passive urgency he slipped into his pants and boots then hooking his gunbelt over an elbow, crossed the rattan carpeting and stepped out of

the window onto the hotel porch.

The stage had halted out front. Lights were gleaming in the downstairs lobby. Blow-Down sat solidly on the seat, reins still taut, staring up at the judge.

"Roadside holdup, Judge. Got a dead passenger in the back; Thornton is his name."

"They take the Wells-Fargo box?"

"No, just Thornton's valise." Blow-Down was beginning to slip. The judge saw blood seeping from behind the driver's ear, drying now on his shirt collar.

"Where...?" began the judge, fumbling with the belt holding his gun.

"Three Trees Corner—atop the Nine Mile Grade..."

"See him?" grunted the man on the porch keeping his questions short because he could see that Blow-Down was speaking with effort and fighting the relentless blackout.

The stage driver tried to shake his head, choked, then said, "No. Dropped outa a tree onto the roof... Plugged one slug into my neck before I could..." Blow-Down was through talking. Calmly, like an old man settling down for a nap, the driver leaned over onto the seat. The judge prayed that death hadn't pushed him over.

Three hours later the judge and his deputy, Pike Peel, approached Three Trees Corners. Their horses were sweat-stained and steamy in the warm night. The moon, settling, laved the tall trees edging away the shadows on the roadway. A massive sugar pine, its trunk scarred from the turnbuckles of the blocks the teamsters used to lower their ore wagons, reared over the corner. One limb, a gaunt arm with pitch knot muscles, stretched across the road just eighteen feet from the ground.

"He come offa there, Judge." Pike pointed a thumb at the limb. "He d r o p p e d down when Blow-Down stopped to breathe his horses."

The judge nodded. "See if you can find any tracks. He might've hidden his horse back of that manzanita clump... "

"Why look?" snapped the spidery deputy. "Let's get down to Callaway's claim. He done it."

"Sure, maybe he did," snorted the judge. "But..."

"But nothin'," argued Pike. "Your drunken thief, stuffed right in the boot, described Callaway. Told how—after shootin' Blow-Down—he jumped down from the top of the stage. How he pulled open the door and snapped another two slugs into Thornton. Then how he lifted the grip out an' took off. What else we need?"

"We need the gold in that valise," growled the judge, his confidence shaken by the belligerent deputy. Sure, they could pick up Callaway but what if the thief was lying? Callaway could stand up in court and his word would be accepted over the sodden witness.

It was well known that Thornton and Callaway had their arguments, but what pair of partners didn't? Men fought the gold fever together, lonely without each other, yet thriving on arguments that cleared the air. Fought each other, yet ganged up against outsiders. Partners against the world but sometimes each other's deadliest enemies. And if Callaway was smart, he wouldn't run; he would be waiting on the claim. But the gold. Thornton's miserly nature had hoarded his share. Hoarded it against the spendthrift avarice of Callaway. And now he was dead because of it. Callaway might yet live to enjoy the glittering contents of that missing valise. Unless...

"Find those tracks, Pike. We'll follow them out. We have to find that gold cache. Callaway won't keep it around him; it's got to be buried somewhere or stuck into a tree trunk. Might be close-to because..."

"All right, Judge. Where'd you think a miner would bury gold?"

"Just get down and track it out,"

answered Able. "Try uphill. Folks usually want to get up high."

LEADING the horses, Pike's spider legs straddling the small first growth manzanita and then the Judge just behind, blundered through the underbrush like some myopic bear. The two lawmen traced out the murderer's path. Trees, tall and morosely stiff in the warm night, held themselves aloof in moody protest. A ledge of quartz, shimmering under the underbrush, chewed its way out of the red dirt. Pike, with patient deliberateness, followed the ridge and stood silently over a crevice jammed with slate.

"He covered it with rocks," Pike pointed. Both men clambered into the gulley and heaved the slat slabs aside. The carpet bag, its yellow threads unraveling like a worn dishtowel, was exposed. The bag sagged as Pike lifted it clear and hoisted it out.

"Feels like it's all here, Judge."

"All right. Let's get back and pick up Callaway."

"As simple as that," Pike agreed. Pike's palm was stained with flakes of dried blood and he wiped his hands on the smooth pine needles. "We pick up Callaway, get the drunk outa the icehouse, let him make the identification an'..."

"Think it'll be that easy?" objected the judge. "Who's going to believe a drunken chicken thief?"

Judge Able Cain was right. Leaving the stable with the dawn well broken, the lawmen led the ranting Callaway up the street. He had made a show of resistance at his cabin but Pike's big navy colt had convinced the stubby miner. Now, as they walked into the sun they could see the crowd around the icehouse. Men broke away from the cluster as the trio approached. There were cautious frowns and tight lipped greetings. There were none of the hilarious, blood-thirsty threats expected when a killer was brought in. The citizens drawing away from the crowd appeared to be getting into a defensive position, ready for action not clear to the judge.

"What's the trouble here?" Able drew his gun and held it loosely, watching Pike draw to one side and attempting to circle the group.

"That Callaway," it was Sharon, his hands hidden by a white apron. "Callaway never stopped that stage—couldn't of, Judge. He wasn't in that direction!"

"What's this all about?" Able's stomach tightened with foreboding.

"Callaway's been on the Bear Hunt," Sharon answered, "Way over toward Hail Storm Mountain. Couldn't a been anyways near Three Trees Corner."

"But," the judge's eyes stared at the bars in the icehouse door, "that chicken thief said it was Callaway. Leastwise he described Callaway!"

"He's a lyin' no-good drunk," a miner shouted. "We ain't takin' his word about nothin'."

"All right, simmer down," growled the judge but was interrupted by Callaway.

"I wanted to tell these hangin' hungry law off-is-ils," Callaway growled. "But was dragged in anyways. I never kilt Bob. He was..." Callaway dropped his jaw in sorrow, raised his eyes in an unblinking stare. "He was my partner!"

"How'd anybody *know* Callaway was over at Hail Storm?" The judge threw the question at Sharon.

A HEAVY red bearded man interjected, "Cause he shot my bear! There..." He pointed to the carcass of a giant grizzly hanging by its short back legs from the bell tower. "Fourteen hunert pounds of grizzly. *My* dogs treed the animal an' Callaway better own up to it! Whilst I was trying to catch up with the dogs—heard them yelpin' and all—I heard a gun explode. It wasn't half a mile from Callaway's claim. I found the

grizzly carcass in a gully covered all up with brush," continued the irate speaker. "Took me better'n two hours to work down there and after searchin' another hour..."

"The dogs?" interrupted the judge. "The dogs would've found it and been tearin' around."

"That varmint shot both my dogs! Then he threw their bodies into the Bear River. I could still see them floating in the whirl-pool below Hail Storm White Water!" shouted the distracted narrator. Then he added, spitting the words through tobacco stained teeth. "I'm aimin' to tear him apart, all right, but he *ain't* the man who helt up the stage! Spite of what that thief says."

"I'm sorry about them dogs," Callaway's apology was oiled. "I'm fixin' to make it right with you, Scanlon. Give you a hundred dollars a dog..."

"Where'll you get such kind of money?" began Scanlon.

"I'll have it soon's this damned judge turns loose of Thornton's gold dust. He was my partner, dead or alive. It comes to me—that ten thousand an'..."

"Now who the hell's judge of this district?" Able blasted into the discussion. He had balanced his bulk from one foot to the other while the compromise was working out between Callaway and Scanlon. He was positive he had Thornton's killer yet, apparently, the citizens were just as positive that Callaway was innocent. They were refusing to give credence to the locked up witness who had given a perfect description of Callaway. Now Callaway, admitting he had killed Scanlon's dogs, was making claim to the gold. And the crowd seemed ready to agree to that also. Able Cain had stilled the group with his irate outburst and now several sheepish men nodded for him to answer his own statement.

"I'm judge here," he affirmed. "And another thing on the legal line—who says that was Scanlon's bear?"

"Callaway admits it!" stormed Scanlon.

"The law's not clear," the judge let his lips curl in a smirk. "We'll empanel a jury and decide it. This might have a far-reaching effect. Assumption is made into fact by the ruling of a legal jury. Lock Callaway up, Pike. Till we decide this case..."

"Lock me up!" objected Callaway. "Can't lock no innocent man..."

"You admitted you killed Scanlon's bear and his dogs, didn't you?"

"Hell, Judge," interpolated Scanlon. "Let him go bail—I'll put it up. It's only for killin' the dogs an' stealin' my bear." There was a gleam in Scanlon's eye that told the judge that Scanlon wanted Callaway available for some sinister purpose of his own.

ABLE CAIN pondered. The men's fury at Callaway for killing Scanlon's dogs and hiding the bear; plus his apparent innocence of his partner's murder had them confused. If he locked up Callaway, their sympathies would be with him. It was clear they had no intention of believing the drunken thief and, too, the judge's reputation rested somewhere in the balance. He had assumed Callaway guilty. He was somehow positive of it. Might a little rope be extended Callaway? A little rope until all the facts and guesses could be brought into line? And hell—this decided the judge—why not give Scan an opportunity to revenge the death of his hunting dogs?

"He can go bail," suddenly announced the judge. "One hundred dollars deposited immediately. We'll hold court on the rightful ownership of the bear at ten a. m. Court will convene in the banquet room of the Apex Hotel. Pike," he nodded for the deputy to sheath his Colt. "have Callaway present and collect that bail now." Judge Able Cain, hefting the gold filled valise carefully, lumbered away from the silent crowd of citizens toward the hotel. He climbed the stairs of the trestle

bridge feeling its familiar sway under his weight and walked to the middle. Able studied the drawn blinds of the room where Blow-Down was gasping in rythmic pain, fighting the fever of his neck wound. Then only did the judge turn and look down.

Scanlon already had one arm hooked around Callaway's thick neck. Callaway's face was bleeding from the first cleaver blow delivered by Scanlon. But Callaway was fighting hard, ramming short arm punches into the bearded man's stomach. Callaway tore lose, leaving one sleeve of his red shirt in Scanlon's clutch, buttons from the shirt flying like broken teeth in the sunlight. A long raking scratch flowed blood from Scanlon's right eye, explaining how Callaway had broken the neck hold by gouging.

The judge caught Scanlon's mouthed words. "Kilt old Nip!" The man was again moving on Callaway. "Murdered Bess!" He was a beserk fighting man with one obvious desire, to inflict such damage on the dog killer as he deemed would avenge his animals.

Callaway's thumping boots stirred the dust as he made a diving run at Scanlon. The bearded miner was ready; chopping a bloody fist against Callaway's head. The head went down and the next blow landed behind the ear. Scanlon reached long arms over the neck weaved his hands under Callaway's armpits and lifted. The feet came up and Callaway was suspended, head down, hair dangling in the dust, feet kicking in an attempt to reach Scanlon's face.

Scanlon staggered, glared around and located himself. Still holding the killer of his beloved dogs, he sought some appropriate punishment that might justify his thirst for vengeance. Then he saw the rock hewed water trough and staggered toward it. The judge smiled coldly. Scanlon was raising Callaway's kicking form, was battering his head against the trough corner.

Pike Peel, face white, stared up at the judge. Several men moved forward. The judge nodded to Pike, then walked carefully across the trestle and stepped over the sill into his room.

Outside Pike was firing his Colt, bringing sanity back to Scanlon. Taking the limp Callaway out of the struggling arms of the bearded man. The judge, listening, heard boots clump onto the boardwalk then the squeak of the saloon batwings and knew the fight was over.

AT TEN O'CLOCK the following morning, court convened. The judge's unruly hair was slicked until it shown under the sunlight from a ceiling high window. He wore a white pleated shirt topped with a black string tie. Pike sat behind the judge on a raised platform, his thin hands fondling the blued barrels of a shotgun. Callaway, a dirty bandage looped around his swollen head, was seated limply. His bruised hands were searching his battered head for a spot without tenderness.

The chicken thief, eyes bugging from his vein ribbed face, huddled defiantly on the step below Pike. Fairly sober, the thief's body trembled continuously despite the man's firm efforts to control it. Scanlon, a reddened crusty scar matting the length of his bearded face, sat impassively on a parlor chair; eyes unwaveringly on Callaway. Behind Scanlon the crowd had filled every foot of space, their boots seeking room to shift against the packed bodies.

"Court's in session," the judge's voice was soft and the shuffling stilled. "The case of Scanlon vs. Callaway. The point of law to be decided by the jury." He directed a nod toward the twelve men who were roped off and each leaning tensely forward in order to hear Able's soft monotone.

"The point of law here— Shall an

object of value, one grizzly bear, be deemed to be in possession of the owner of hunting dogs once said bear is treed? Or shall this grizzly be deemed to belong to that individual who comes upon the treed bear and kills same? Assuming of course, that in such case the individuals be different men." The judge turned. "Scanlon, you want a lawyer?"

"What for? He admitted it!"

"Correct," and the judge turned to the abject Callaway. "Do you want a lawyer, Callaway?"

"No." Suddenly the man was shouting, his bruised mouth unable to control the spittle. "I killed his bear and I killed his dogs!"

"So it is decided," boomed the judge. "Both enter the lists unattended by the tender administrations of the California Bar. Now, Scanlon. You get out of that chair, walk back across to the bell tower and examine that bear. You look it over very closely. See if the ticks are dead. Feel the fur. Look that grizzly over for a *full five minutes*. Understand?"

"No!" snapped the red bearded man, "but I'll do it. And leavin' with just one remark. If that chicken thief says Callaway was way up at Three Trees Corner, he's a liar!" With this emphatic remark, Scanlon shoved his way through the now puzzled crowd.

"Now Mr. Chicken Thief." Able Cain directed his attention to the shaking man. "Let me ask you one question." With a pitiful gesture, the man dropped his head to his trembling hands. Pike loosened his hold on the shotgun, drew a half pint bottle out and handed it to the thief. The crowd clucked sympathetically as the man drained the bottle. His eyes brightened and he straightened, waiting for the judge to continue.

"Was this man Callaway the man who killed Thornton and shot the stage driver?"

"No, sir, your honor."

The crowd gasped and the judge smashed his gavel against the table to still the rising mutter. Able Cain smiled queerly, his musing glance traveling over the tensed crowd. Then he chuckled. "Witness dismissed. Let this man out; nobody believes him anyway." The witness sidled through the crowd, meeting Scanlon's return.

"Now, Scanlon, take the witness stand," Able directed.

Puzzled by the restless stirring of the citizens, Scanlon seated himself then shouted. "Don't care *what* that thief said, it ain't true!" The crowd roared with laughter, breaking Scanlon's burst of confidence as he sank deeper into the chair.

"You examined the grizzly?" the judge asked softly.

"Yes, damn it! The ticks was dead. The hide was matted with blood—caked. The eyes was yella, soupy like it's been lying in the sun for days an' the whole damned varmint was fly blowed. Now what *about* it?"

"Later," snapped the judge. "One more question. You ever hunt mountain lion with Nip and Bess?"

"Sure. Best dogs for general cat huntin' in the Sierras. Why onct they took after a mountain cat and was gone four days. They was..." Scanlon's voice dropped completely away; he stared at the judge and his bearded mouth opened.

"Witness excused!" Able Cain halted Scanlon's protest with a thundering thump of the gavel. "Callaway, take the stand." Able leaned back and fixed Callaway with a stern eye, following each step the witness made.

"Now, Callaway, did you kill Scanlon's bear? Did you also kill his dogs?"

"I did." The words shook. "I... Scanlon can have the bear an' I'll pay for his dogs."

"Do you also state, as our first witness testified, that you were not the man who held up the stage and killed Thornton?"

"I do. I was huntin' on Hail Storm

Ridge. I seen Scanlon's dogs tree the bear and shot both the. . ."

"We heard that," growled the judge. "Just answer one more question." Able waited while the buzz in the room died down then continued. "Now—Hail Storm Ridge is forty miles from Three Trees Corners. If you were at Hail Storm you couldn't have robbed the stage and got back to kill Scanlon's bear. That'd absolve you of the murder and holdup. You've thought of that, no doubt. But when Pike and myself arrested you at your claim, you didn't mention killing Scanlon's dogs nor that you killed his bear. Now for the final question—and if you can answer same correctly—you'll walk out of here a free man."

JUDGE ABLE CAIN felt his stomach tighten. If he fluffed this next move, Callaway, a murderer, would be freed. Thornton's gold would go to the man who killed him. Blow-Down's pain and suffering would be futile. He looked into the owlike eyes of Callaway, trying to discover a trace of fear. Then his voice roared out. *"Callaway, where's the other bear?"*

"W-what bear?" But Callaway's shout carried fear.

"That bear you and Thornton were fighting about when he boarded the stage," snapped Able Cain. *"That* bear! The only bear brought out of Hail Storm is hanging under the bell tower."

Callaway's fist stiffened on the chair arm as the judge turned the verbal knife in Callaway's hide. "We all heard it. Thornton was mad cause he claimed you killed his bear. *You* said, 'That's my bear, Thornton, *cause I killed it!*'"

Callaway's mouth worked, his wide eyes stared blankly into the crowd.

Relentlessly, Able went on. "What has happened is that you and Thornton fought over a bear you both claimed. Figured maybe you'd win Sharon's Big Bear Hunt. Right? Anyway, Thornton left and you followed and killed him for the gold he was carrying. Then when we brought you into Apex, you heard Scanlon accuse you and you jumped onto that as an alibi, figuring a beating from Scanlon was better than stretching rope for Thornton's murder."

"But the thief!" shouted Callaway. "He said it wasn't me!"

"Bring back that chicken thief," shouted the judge; "if you want a damned liar to testify for you, it's fine with the court!"

Silently the thief was shoved forward and stood, passively listening. "Why'd you say it wasn't Callaway?" rasped the judge.

"Cause it couldn't've been him," cringed the witness. "Everyone said he was way over on Hail Storm Mountain. Nobody'd believe my. . ."

Callaway was out of the chair, a bowie knife in his flailing hand. He charged into the crowd. The arm was caught, sending the knife in a glinting arc that ended flush on the judge's desk. Callaway was dragged through the wide doors and the crowd moved silently down the main street, pausing at the stable to obtain a rope.

"Judge," it was Scanlon. "You figure them dogs in the whirlpool was Thornton's?" The judge nodded. "Well, judge, when my dogs, old Nip an' Bess come home, I'm gonna buy you the biggest demi-john they can find in California!"

"Thank you, Scanlon, and rest assured I'll drink it!"

★

Mr. A. A. Baker, author of the "Able Cain" stories, also presents a series of stories about Digger John, the toughest and cleverest man in Gold Run. You'll find an adventure of Digger John in the latest **FAMOUS WESTERN.**

SPECIAL FEATURE

ROUGH JUSTICE

by Lee Thomas

DURING the California gold rush, the miners had to establish some form of the courts, for robbery and killing would have soon got out of hand otherwise. Some of these courts sprang up overnight when local citizens made themselves "judges." Such a court was the court of "Judge" Dick Barry.

A short and wiry man, red-faced from much drink, Judge Dick Barry dispensed justice speedily, his whiskey jug on his "bench" beside him. Many times he used the heavy jug for a gavel. One time a Mexican miner appeared before him. The Mexican was charged with robbing one Jim Knowlton of four thousands dollars' worth of gold. Judge Dick Barry squinted down at the half-drunk prisoner.

"You Joe Sanchez?"

"*Si*, me Joe Sanchez."

"Jim Knowlton here claims you robbed him of some gold. Four thousand dollars' worth. You guilty or not guilty?"

The Mexican could not understand this rapid flow of English. "I no sabe," he said, blinking dazedly.

Outside the saloon, sunlight lay across the California mountains with their tall pine trees. At this hour of the

morning the Sonora town miners were out with picks and shovels and therefore the mining town was quiet.

Jim Knowlton, a lanky man, said, "He sure stole my dust, Your Honor."

"Shut up, Knowlton. This is a court of law; speak only when spoken to. Sanchez, are you guilty?"

"You mean—deed I steal the gold?"

"Yes."

The Mexican grinned drunkenly. "That for you to find out," he said.

Judge Barry almost choked. He hammered with his heavy jug. "Thet's contempt of court, Sanchez. Fer thet I fine you three ounces; you also git forty lashes acrost the back, tied to the town whippin' post."

"No!"

"Beside thet you gotta get the gold back to Knowlton, right now."

"I no got gold."

Judge Barry spoke to Knowlton and the bailiff. "Forcibly search the liar," he ordered.

After some struggling the pair got the Mexican on his back and Knowlton came up with a buckskin bag. "My buckskin poke, Judge."

Judge Barry's eyes were suddenly narrow and hungry. "Put the poke on my bench," he ordered.

"But it's my dust—not yours, Your Honor."

"Put thet poke on my desk, Knowlton."

Grudgingly the miner complied. The bailiff dragged the yowling Sanchez out to give him his forty lashes. But Judge Barry had seemingly lost all interest in the prisoner. His interest was riveted on the poke of gold.

A good strong bag it was, too—made of native buckskin leather. And inside that bag were shiny golden nuggets. Glistening, beautiful nuggets.

JIM KNOWLTON also stared at the poke.

He had once lost that poke. Now he had miraculously recovered it. Now it was close—very close to him; all he had to do was reach out and touch it. Once he had thought it lost forever.

Still, he didn't dare touch the buckskin bag. The miner took his gaze from the poke and looked at the red-faced judge. His Honor's pale blue eyes held a look of hunger; alarm spread through Jim Knowlton. "Well, Jedge?"

Judge Dick Barry spoke slowly. "A court of law like mine is a legal implement of the people it pertects. To exist, a court has to be maintained by the coin of the realm."

"You can't take my gold!"

"I kin if I wants to... But such is not the will of the court, plaintiff; the court assesses you five ounces of dust."

"What fer?"

"The cost of the court, of course."

"But Sanchez is supposed to pay the cost of court. He done lost the case—I won my point."

"But Sanchez ain't got no dust. Well, enough of this tomfoolery, miner; either pay me or go to jail."

Knowlton paid.

Judge Dick Barry was a transplanted Texan who had drifted into the Mother Lode country during the gold stampede. Too lazy to dig for gold, he wanted to develop some other field of enterprise. The gold was here—millions of dollars' worth—and he wanted it without going to the sweaty effort of digging it.

So he had appointed himself justice-of-the-peace for Sonora town. And, to be truthful, Sonora needed him, for the town was rife with crime and killings. He made money—good money—and he did little or no work. His hardest work was keeping his "court records."

He kept these records—such as they were—on any handy piece of paper. A box top, a paper bag, an old ledger book—anything one could write on became a "court record." He was a very poor speller; his grammar matched his spell-

ing ability in conciseness and accuracy.

These old records, some available today, show how he and his court always got paid, regardless of how any case went.

One miner one day summed it up completely. "No use of Barry goin' out minin', 'cause he's got a gold mine right in his court. And what is more, we have to stand up and shovel and sweat; but he mines a-settin' down with his whiskey jug at his elbow. I drink dirty sluice water an' he guzzles down good forty rod licker."

The miner's companion had just received an unfavorable "verdict" from Judge Dick Barry. The miner had got drunk and into a fight in a saloon the night before; he had been fined all his dust. "He makes his laws up as he goes along."

"What was his charge against you, pardner?"

"Drunk an' disorderly, an' incitin' a riot. This fellow what hangs around the *Mint Saloon*—this George Works—he claims he's a lawyer. So I hired him to pertect me. And what a lawyer he turned out to be."

"What does Works do?"

"Barry says I'm guilty; I say I ain't; Works says I ain't. Barry's face just swells up with them red veins standin' out like small ropes. He fines me all I got; he fines Works all he has. He says Works can't ever appear afore his court again. Works gets mad."

"Where is Works now?"

"In jail. Six months. Bread and water."

"You got off lucky. Never go against Judge Barry; he ain't legally a judge, but Sonora needs him. He still does some good, despite his high-handed robberies. Weren't for him there'd be no law or order at all."

The miner with the hangover shoveled a shovelful of sand into the sluice box. "Sure, Barry's word is law. But what about when he kicks the bucket an' goes Up Yonder to face the Higher Law?"

"Him an' the Big Boss will sure have a tussle," the other miner said and grinned.

★

It was all too easy; Race Williams didn't have any real trouble finding this allegedly kidnapped heiress. And no one had demanded any ransom. It all suggested that there must be a corpse around somewhere...

Here's an unusual featured mystery novel

HEAD OVER HOMICIDE

by Carroll John Daly

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THE LADY AND THE LAWYER ..... **Arnold Drake**
I knew I was being used — but what was the gimmick?

THE COCKY ROBBINS KILL ..... **Betty Brooks**
It was just too bad that all the suspects couldn't have been innocent!

Look for the May issue of

SMASHING DETECTIVE STORIES

SPECIAL FEATURE

JESSE JAMES' ATTEMPTED SUICIDE

by James Hines

A LITTLE-PUBLICIZED incident in the life of Jesse James, the man generally conceded as being the most famous bandit in American history, was his attempted suicide.

Ordinarily, one would think of Jesse James, a man with such undoubted courage and stamina as he was known to have possessed, as being the last person in the world to even contemplate such a thing. That the attempt was unsuccessful, can be attributed to his brother Frank and Dr. Simmons, the attending physician.

There were three of the James children: two boys—Alexander Franklin and Jesse Woodson—and one girl, Susan. "Frank" or "Buck," as Alexander Franklin was universally known, was born January 10, 1843. (For some unknown reason, Mrs. Samuels, his mother, when speaking of Frank, always referred to her eldest son as Mr. Frank. When speaking to him personally, he was addressed as Buck).

Jesse Woodson, the second (or rather the third, as the second child, born July 19, 1845, and christened Robert R. James, lived less than two months), was born September 5, 1847. Most of his friends and acquaintances knew him as "Dingus." Susan, born November 25, 1849, was always known as "Susie."

As there was but slightly more than two years' difference between the ages of Jesse and Susan, they were rather close together—much more so than were Frank and Susan.

Susan married Allen H. Parmer, when she lacked one day of being 21. There was bad blood between Jesse and Allen Parmer, and Jesse most strenuously objected to Susan's contemplated marriage to Parmer. He tried to dissuade her in every way possible; but womanlike, she was obdurate and went ahead and married Parmer, the marriage taking place November 24, 1870.

Jesse became very downcast and

discouraged because all his admonitions had failed to prevent Susan from marrying the man that he detested. At this time, he and Frank were in hiding at the residence of their uncle, Major George B. Hite, just outside Adairville, in Logan County, Kentucky.

It was here that Jesse tried to kill himself. The fact that the sixteen grains of morphine he took was an overdose is probably the only, and sole reason his life was saved.

Frank and Dr. Simmons, the physician who had been summoned, walked Jesse up and down the floor of an upstairs bedroom at Major Hite's, much as one would walk a horse with the colic, until finally the effects of the drug wore off a bit and Jesse was put to bed, with Frank to watch and prevent him from going to sleep.

Jesse recovered in due time.

After his marriage to Zeralda Mimms, his first cousin, on April 24, 1874, he and his wife visited Susan and her husband at their ranch home a short distance from Sherman, Texas.

The two men scarcely spoke to each other during the visit, and then only when it could not very easily be avoided.

The cause of bad feeling between the two men has never been learned. Maybe it was because Jesse was a bit peeved at Parmer for the record he established as a killer at the raid on Lawrence, Kansas. On that occasion, Parmer was Quantrill's most prolific killer, setting a record of twenty-three men.

It would be interesting, no doubt, to learn just what it was between these two men that caused them to detest each other. But now, after all these years, the truth will probably never be known.

★

He jumped ship, seeking adventure and the glory of being the first human being to land on an unknown planet. Then the glamor wore off, a cocky kid grew up fast, to become a man making his

LAST STAND

A Gripping Novelet by

Algis Budrys

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in the May issue of

SCIENCE FICTION STORIES

Look for the new bi-monthly issue on your newsstands now. If your dealer does not have copies, send 35¢ to COLUMBIA PUBLICATIONS, Inc., 241 Church St., New York 13, N. Y.

Wherein BRIMSTONE BILL answers your questions

1. QUESTION: *Did beef ever sell lower than it does now, on the ranch?*

ANSWER: Yes; during the financial panic of 1873, beef sold over the counter for two and a half cents a pound. You can imagine what the rancher got for it. Probably a "thank you".

2. QUESTION: *Was Clay McGonigle a native of Wyoming?*

ANSWER: If you mean the McGonigle named Clay who was considered the best roper of his day; no. He was born, 1879, at Lavaca, Texas.

3. QUESTION: *Was the Western Union Telegraph Company always in the telegram business?*

ANSWER: This may surprise you. No; at one time it was also in the cow business as the Western Union Beef Company. It allocated fifteen million dollars for the enterprise.

4. QUESTION: *Who was Nate Champion? An outlaw?*

ANSWER: Well, I'll bet he didn't think so. Anyway, Nate was born in Texas, 1857. He emigrated to Colorado, and later to Wyoming, where he headed up an independent, small cattlemen's association and was looked up to—then was later hanged as a rustler during the Johnson County War of the '90s.

5. QUESTION: *Why did women ever use those side-saddles you see today in museums?*

ANSWER: Because they weren't considered "ladies" if they rode astride. The first side-saddles came out about 1897. After that no "lady" worth the name would be caught dead astride. Not until the modern cowgals tossed in the towel—and convention—and took to riding astride for comfort and convenience's sake.

6. QUESTION: *Who was the first professional trick and fancy roper?*

ANSWER: A vaquero named Vincente Orespo, from Mexico, who went to work for Colonel William F. Cody's Wild West Show. First, and one of the undisputed best, too.

7. QUESTION: *A few months back you mentioned Harry Tracy*

as an outstanding outlaw of the northwest. Can you tell me how many men he killed?

ANSWER: Well—I wince on that one. In the first place only Harry himself could answer your question, and for obvious reasons he won't. Recently I've been taken to task over Harry by my long-time writer friend, Carl Breihan, who is probably the foremost authority on western outlaws alive today. Carl's got a new book coming out soon—I'll let you know exactly when it's out, later—which discloses Tracy's correct name, among other things, which even the authorities of Oregon, who had him in prison, don't know to this day. Carl's book will give you full data on Harry Tracy and a host of other famous outlaws and renegades. I can't recommend it too highly.

8. QUESTION: *Was there actually a stage driver named Rumpsprung Simons? Where did he get that name?*

ANSWER: Yes, there was. The name came from the expanse of upholstry he carried with him, flattened no doubt into its heroic proportions by many miles of pounding rough western trails. He was also known as the most picturesque, most loquacious user of stage line profanity ever to drive over the old Nevada-California chain of mountains.

9. QUESTION: *Is there such a thing as a "silver dollar earmark" for cattle? If so, what is it?*

ANSWER: Yes, if it's a complete, round hole made in a critter's ears, which I've heard called that, but is more commonly known as a "wagon-wheel" or "circle cut". It isn't practical though, because the surrounding hair grows into and over the hole until it can't be distinguished in many cases. I haven't seen one in twenty-five years. Last time was near Jelm, Wyoming.

10. QUESTION: *How many nails does it take to hold a horse's shoes on?*

ANSWER: Eight. There are just that many holes in the shoe. Four on each side. Thirty-two nails all around.

11. QUESTION: *Did many cowboys carry derringer pistols?*

ANSWER: Not cowboys; no. Gunmen and gunfighters, outlaws and lawmen did; but generally speaking there were nearly as many old time riders who didn't wear a gun of any kind, most of the time, as there were who did. Pistols interfered with everyday chores, were heavy, especially when hanging from a shell-belt, and were cumbersome. Moreover, the average ranch rider had less use for a gun as part of his attire, than he did for a hair comb, and that's saying something.

12. QUESTION: *Was Buffalo Bill Cody a big man, physically?*

ANSWER: Yes, he was. Once I made the mistake of infering he wasn't. Subsequent investigation however, proved that he was over six feet tall and, at the time of his prime, while he had his Wild West Show, he weighed over two-hundred pounds. Must have taken quite a horse to pack him all day on a hard ride, at that.

13. QUESTION: *Wasn't old Sitting Bull shot by his own son?*

ANSWER: No. He was shot after his son called him some names, inciting the old man to resist arrest. Indian policemen shot and killed him in the ensuing scuffle.

14. QUESTION: *I read in a recent controversy that American Indians were beardless. Is this so?*

ANSWER: Not naturally beardless, no; they just didn't wear chin cabbage at all. Used tweezers and pulled the hairs out one at a time, but they could have grown the stuff and sported beards if they'd cared to. Prevalent Indian belief was that beards, aside from looking "animal", were unclean—they had something there, at that. There are many later-day Indians, though, who not only grew and wore

beards, but did so most of their lives.

15. QUESTION: *Is counting "points" on western deer an infallible way to tell their age?*

ANSWER: Authorities say not. I agree, as do most western hunters. The surest way I know of to tell a deer's age is by his teeth. Sort of like "mouthing" a horse. Only trouble is, he has to just about be dead before you can get a hand in his mouth, and if he's an illegal buck—you're in a jackpot with the game warden. Best thing to do is comply with State laws, in any case.

16. QUESTION: *Is a horse eight years old, too old to break?*

ANSWER: Certainly not. You'll have a horse that will last for many, many years, if he hasn't been blemished or hurt in any way before you start on him. The longer you put off breaking him—or her—the tougher he'll be, generally speaking. Of course, waiting until he's twenty or so is stretching it a bit.

17. QUESTION: *Are Brahma cattle the so-called sacred cattle of India?*

ANSWER: Yes.

18. QUESTION: *What year was Arizona admitted to the Union? Is it the youngest State?*

ANSWER: 1912, if my memory serves me correctly; anyway, it is for a fact, the youngest State in the Union.

19. QUESTION: *Did the West do anything during the Civil War?*

ANSWER: Depends on what you mean by "do". They sweated, I expect, like the rest of the country, over the outcome. Aside from that almost every Western State sent volunteer units to one side or the other. Mostly Union. Even the Californios made up a large body of lancers and sent them. Western battles were Albuquerque, Canyon Glorieta, and Valverde Spring. The West never missed a scrap, if it had to crawl to get there!

20. QUESTION: *Can shoeing a horse correct hoof ailments?*

ANSWER: Yes—but you'd better let a veterinarian supervise the blacksmith.

★

Two Tophand Novels

THE NO-GUN KID

by Seven Anderton

It was when they saw bullies try to gang up on Tim Donahue, who took them all on gleefully, but never sought trouble with anyone, that the citizens of Cactus City decided the time had come for a clean-up!

CRY OF THE TOWERS

by Lon Williams

A dreadful deed had been done many years past, and the voices of slaughtered men seemed to cry out in the wind, for vengeance on murderers who still walked the earth, arrogant and apparently beyond justice!

Look for the May **ACTION-PACKED WESTERN**

In fact, this horse was smarter than a lot of men — including Marshal Sergeant, at a crucial time!

SMART AS ANY MAN

by Wadsworth Nealey

WHEN U. S. MARSHAL, Robert Sergeant, finally caught up with Dobe Ellis, it was only because the still-unseen old man, at the end of a long rope tautly held by a skilled cow pony, was busily wielding a two-bitted axe against a gnarled wilderness giant that grew abruptly from the canyon's slippery sides, 90 feet above the roiling, roaring tumult of Icepack River.

With the heavy axe echoing and reechoing from the monstrously disordered rock-formations everywhere, as it had been doing down the backtrail, for the past hour or so, Sergeant carefully dismounted from his quick-breathing buckskin and climbed in a gingerly manner out on the swelling crest of the canyon rim. He was 25 feet above the laboring axeman, who, because of the noise of blue steel and white-water, did not yet know the long arm of the law was literally hanging over his hoary head.

Suddenly Dobe Ellis slipped; one cutting-edge of the axe made sparks against granite walls, and clutch as he frantically would, the only things that saved his life, were the rope around his tough middle, and the faithful roan at the other end that raced its short, powerful legs with such stubborn, untiring deliberation.

"Come on back up here," Sergeant called down. "I can't take a corpse back to town to stand trial for murdering its partner."

A face, seamed and battered by a life lived close to Mother Nature, looked up into Sergeant's. Brows, less white than the shaggy moustache and crop of hair just barely concealed by a shapeless hat, could not hide the surprise of the clear, sky-blue eyes.

"You ain't lookin' at the killer of

Sourdough Clowe, Marshal. What yuh think ah left town so sudden for, at my age? Just so ah could ride old Paleface all last night and most of t'day over a so-called trail that ain't got as many landmarks as it's got horse-killin' windfalls, steeps, and brush thick enough to stop a mountain lion? Why, I ain't seed this side of the river before, except from the other side. Me'n m'pard, Sourdough, always come up'n down the other side of Icepack River. Even when we made the discovery, last time out, we didn't take no shortcuts back t' town. The reason I'm tryin' to take a shortcut to the diggings now, is because I gotta beat Sourdough's killer to the gold."

Sergeant, who at 35 was at least 40 years Dobe Ellis' junior, remained silent awhile, feeling the physical strain that had kept him after the old prospector. In many places over the back-trail, he had been forced to walk ahead of a slipping, sliding, sometimes panicky horse—a mount that, over the hectic years, had proved it did not panic easily. "All right, Dobe." Sergeant pulled his sombrero on more tightly. "If Sourdough was killed for gold, and not by you—then by who?"

"Corkscrew Beckert. You know him—the new bartender at the *Red Bucket,* who wandered into town about five months ago. Ah was out of our room over the saloon when it happened, but ah was lucky enough to return before Sourdough cashed in. Sourdough lasted longer'n Corkscrew Beckert thought he could, ah reckon. Sourdough was a good cuss, except when on a binge—then he talked too much. It shore busted me when he said he'd been shot by Corkscrew after tellin' the skunk about our strike—and that we hadn't staked it yet. Corkscrew couldn't wait to get his dirty hooks into it. But ah aim t' beat the stinkin' low-down murderin' crook up thar."

"Could be Sourdough's old soul would rest easier," Sergeant admitted, "if we beat Corkscrew Beckert to the swag."

"We? You comin' with me, Marshal?"

"Yeh."

DOBE ELLIS pointed with his axe, then heaved it deeply into the mammoth spruce again. "Corkscrew's got a full day's start, Marshal, and real good horses. But usin' the marked trail on yonder side, he had t'go way down to the sou-west through Purple Pass. Ain't no shorter way t'get a horse across the Icepack—unless yuh count this here way of mine."

"But to make a bridge," Sergeant estimated the gap was only about 65 feet here at these narrows, which so far, had never been crossed by any man, "you have to drop that tree so it will land in the right spot and hold firm."

Dobe Ellis, looking across at the opposite wall of the canyon, where a crumbled notch had been gouged eons past, did not waste his breath answering. The spruce he was chopping again, overhung the canyon rim at a rakish angle, its roots twisted deeply into a cavernous fissure.

Its towering top had to lodge in that notch across the rapids, if there were to be a serviceable bridge. Elsewhere, the rocky cascades presented an unconquerable barrier so tremendous that the 150 foot tree seemed like a toothpick in comparison, while the two men and horses were reduced to the insignificant scale of insects.

Although Dobe Ellis' studied, almost clumsy movements, conceded his lack of suppleness, the bite of his axe quickly deepened the tree's cut with heavy, skillful strokes. He was still a giant of a man, but the one-time massively muscled bulk of his over-all physique, had given-way to a bony, stringy, shapeless hulk. His clothing, still the same size that had fit snugly in his youth, now hung like colored wool on a skeleton.

A warning snap sounded within the ancient trunk; the great tree swayed with lordly majesty, and jerking sav-

agely at the rope, Sergeant barked: "Move, you old buzzard!"

Dobe started a stiff hand-over-hand up the granite bulge, then pushing with his enormous feet, pendulumed away from the kick-back of the uprooted trunk, as though he were a terrified man, belied by the expression of his face.

Before Sergeant could do much real good, Ellis let his bull-fiddle voice go: "Back, Paleface! B-a-c-k!"

The dutiful roan, its wise eyes rolling in the snow-white face, began moving backward with the sure-footed agility of a mountain goat. At the other end of the rope, Dobe came up over the rim like a condor and, pushing Sergeant to safety as he did so, got rid of the rope around him and scrambled for his life.

Sergeant, pushed prone upon the slippery granite, and sent bellywhopping in the general direction of his big buckskin, would have cursed—except that an ominous crackling from the stricken spruce, that volleyed like an army of carbines, warned him that this was no time to get peevish about abused dignity and flesh. The swish of crashing boughs rose above the brutal voice of Icepack River; the top of the spruce landed with an earth-shaking thud and the rending of smitten wood.

From the corner of one brown eye, Sergeant saw the huge stem level, the butt, torn-out roots and chopped-off roots flailing, sprang high above the canyon-rim, then bludgeoned down into the narrow mouth of the crevice, wedged fast, then laid still.

Sergeant's eyes met Dobe's, as like the oldster, he sat up for a moment's rest, before standing for a look around.

"The toughest job's done," Dobe Ellis slowly said. "Now all we gotta do is cross over and work outa the rocks into the miles of upper meadow country to the marked trail that leads to the diggings."

"It's God's own un-traveled wilderness. You sure you can find a way through in time to catch Corkscrew?"

"Paleface can find his way through anythin'!" Dobe Ellis' voice spoke with quick pride. "And the little cuss will get us there in time, if that high-gelding of yours can keep pace. If y'can't keep up, follow along while ah hurry ahead to stake the claim and nab Corkscrew for yuh."

"You don't have much respect for the law or the law's horse, eh?" Robert Sergeant smiled thinly.

"You're a gun-fightin' fool against any kind of odds, with your two six-shooters, but yuh got tender feet from ridin' all your life."

The old man, as if he had lost too much time already, moved toward the roan with long, surprisingly light strides, his leathery face lighted by plodding determination. "And your buckskin never's had t'work for a livin' the way m'Paleface has. Besides, Sourdough was m'pard of 40-odd y'ars; ah gotta do for him, what he'd a done for me."

Robert Sergeant, a medium-sized man, moved with typically fluid, feline-like quickness; but in his bronzed, symmetrically composed features, lurked an unusual-for-him uncertainty, as if he were considerably awed by the competent know-how of the old party whom he had previously thought was just a senile, and slightly-addled earthworm.

For one thing, Sergeant did not have the heart to kill the spirit of long-gone years that now seemed renewed in this grubby oldster. He knew, as did all the town of Hangman's Tree, that all during the 40 very odd years spent together, Dobe Ellis and Sourdough Clowe, had endlessly sought gold. For the last nine of those years they had been accompanied by the roan, Paleface, that had acted as a saddle, pack, work—and/or every other kind of horse. Across the desert trails and into the trackless mountains, they had trudged like a three-pronged symbol for frustration and humiliating failure, symbols to be sniped at and heckled by

the young and less understanding inhabitants of the dusty cattle-trail town.

Now, Sergeant could see, Dobe Ellis and his devoted horse were near the finish of life's journey. Gold would mean a measure of peaceful security at the end, peopled with lazy checker games, talk of the good old days, for one, and limitless supplies of fresh oats and grazing pasture for the other.

And with money, Sergeant thought, *old Dobe will become a respected citizen by all in Hangman's Tree—because even drunken bums do not ridicule somebody who can buy them liquor.*

WHILE DOBE lopped off interfering branches, and, with his stocky blue horse, gained a foothold on the opposite rim, Sergeant tried to follow across the so-called bridge with his big buckskin—which wasn't for the idea at all.

"You're wastin' time tryin' t'get that geldin' over here, Marshal!" Ellis' impatient voice vied with the growling water 100-odd feet under the bridged tree. "But go ahead and make your stubborn try. Ah'll leave Paleface here t'help yuh follow the way ah'll push through yonder rock rubbish. Me'n Sourdough'n Paleface have prospected this here country many times'n should know it better'n most!"

Sergeant did not relish being called stubborn, chiefly because he himself called it persistence. Calmly, he tightened Buck's saddle girth again and reled the animal to the edge of the fissure. Sergeant did not enjoy the inference that the heavy brute would balk—for it had taken him into and through ticklish spots for some years now, without even having shied before. But it refused, this time, even to consider the haunch-skinning slide to the bole of the tree. So Sergeant gave up.

He wrote, *Be on the lookout for Cockscrew Beckert, if he should ride back through Hangman's Tree—he killed Sourdough, Clowe,* put the note in the saddle-bag, headed the buckskin toward town, and slapped its rump rather hard.

Then almost before the Buckskin got started down the backtrail home, Sergeant was sliding down to the spruce and starting across. Over on the other side, Paleface, now alone, pricked his hairy ears toward Sergeant and stared with big, mild eyes, that gave the broad Roman nose a puckish look.

FAR BELOW the fallen tree, Icepack's waters arched in furious waves, like the glistening backs of giant, leaping salmon; foaming spouts shot high after the perpetually losing-battles with submerged stones.

On solid, if precarious ground, Paleface, his blue-blotched chest and shoulder muscles bulging, watched intently, as if he were a solemn owl, and Sergeant a too-lean mouse. Sergeant, being used to flat country and horseback, felt like a fledgling eagle forced to make its initial flight across a bottomless chasm. He cursed the vanished Dobe Ellis and the waiting roan, although admitting they both had more natural skills and sense than, apparently, the Lord had given him.

Halfway across the smooth, treacherous stick, his high-heeled boots flew out from under him, and the next thing he knew, he was hanging from a broken branch with one hand, his feet treading the up-blowing air! He tried to get two hands on the branch, but failed. He attempted to chin himself to safety with his one hand, but lacked the strength to muscle-up his 160-odd pounds. He knew then that, eventually, his grip would give out, and he would plummet 100-odd feet to his destruction below.

He had been hanging thus, for what seemed an eternity, when he felt the log shift slightly under a heavy weight; then he heard the steady thuck-thuck of iron against wood, and looked up suddenly, into the goat-like countenance of Paleface. He was able to

grab a dangling lead-rope with his free hand and pull until he could shift that hand onto the branch beside his other hand, then chin himself to the log with the help of Paleface—who had secured a good mouthful of the seat of Sergeant's tight, blue pants.

Almost before he realized it, and like a sleepwalker, Sergeant—both fists gripping Paleface's long, coarse tail—was cake-walking up a perilously perpendicular and shallow cut.

Sergeant had assumed he had crossed the log with Paleface, and was being towed pellmell after the long-gone Dobe Ellis, so he was really shocked back into the reality of the situation when he discovered he was back on the side of the canyon from where he had started, and for no good reason that he knew of, was being led up a formidable wash toward barren tables, chasm-like cracks and a jumble of steepled rocks. Unmindful of Sergeant's tail-grip, Paleface toiled steeply upward, as if bound for somewhere special.

Sergeant, startled into a voluble shout, so strained that his throat ached long afterwards, managed to stop Paleface long enough to let go of the black tail-hairs and climb up beside the animal's turned head.

Grabbing the halter none too gently, Sergeant tried to swing the beast around. Deliberately, firmly, Paleface balked, the shod hooves slipping some, so that they were forced into a wild scramble for a footing.

"Now, Paleface, old boy, you've been awfully smart up to here—but Dobe's on the other side of the river working his way out of the notch and heading across the meadow to the trail that will get him to the diggings ahead of Corkscrew. He'll be expecting us—so what are you doing over here going in a direction that isn't even home?"

Sergeant spoke as appeasingly as he could, even scratching one of the roan's dirty ears. "I didn't mean to yell at you or yank your head thataway. If you're scared for me, forget it—because I'm willing to try and get across that log again. It's what I promised Dobe I'd do."

Paleface would not be cajoled. With slowly-fumbling fingers, Sergeant rearranged the pack, shifting the cinches gently, reaching into a pocket as he did so for a lump of sugar, usually reserved for the buckskin. He gave it now to the roan, which accepted it and started moving again.

Hardly able to buckle the belly straps in time, Sergeant said, all exasperation again: "No horse would climb up here for the love of six acres of fresh clover!"

But, as if calling Sergeant a liar, Paleface kept busily on; until the rock masses rhythmically rang with the sound of horseshoes. Sergeant said, "Whoa!" and when Paleface obediently stopped, Sergeant put a slip-noose around the thick neck and lunged hard against the rope, convinced now, that everyone, including Dobe Ellis, had been wrong about Paleface, and that the roan was really as stupid as a headless barnyard chicken.

Paleface sat down and braced his forelegs. It was like trying to tug a mountain on the end of a rope. Mindful, after all, that Paleface had actually saved his life, Sergeant let up on the noose and removed it from Paleface's throat. One misstep here, and both of them might, in brief seconds, become broken objects, rolling and bouncing down into the canyon and Icepack River.

AS PALEFACE arose to all fours, Sergeant stood there, thinking, and staring at the blob-like lumps that made up the animal's pack. The sun told him it was now noon, and that most of the morning had been wasted trying to change the unchangeable mind of this neurotic roan. He considered undoing the pack and carting it, himself, across the spruce, bundle by bundle. But he decided that would not get Paleface across the Icepack, either.

Even as he looked up from his moody abstractions, Sergeant became aware that Paleface was gone—moving up that gulley again.

Shrugging with the air of one who has made up his mind to make the best of a bad situation, Sergeant went slipping and sliding downhill toward the spruce. He dropped to the upper branches, gained his balance by seizing a broken limb, and hurried out along the bole, just as one of the bracing branches underneath snapped like a thunderclap, and the top of the tree on the far side, began to sag and twist as it slowly dropped! Realizing that the acrobatics of the heavy Paleface, combined with his own, in the battle to keep him from dropping off this tree into the murderous river, had been too much for the stick's delicate perch, Sergeant flung himself around and to the safety of solid ground as the tree jolted downward another foot or so with a great ripping and tearing of tough wood. Then all at once, like a gigantic Scottish Caber, tossed from the mighty hands of some unseen god, the spruce went down end-over-end, knocking sharp slivers of granite flying, before hitting the river-surface with a thunderous crash!

Sergeant stared fixedly across the now-unbridged abyss, a discouraged young man, with the knowledge now, that Paleface had known all along that tree had been ready to fall.

Always mindful of his duty as a peace officer, Sergeant wrenched himself out of his doldrums. If need be, he would walk the long way around. He would be too late to help Dobe Ellis at the diggings, but he might be in time to intercept Corkscrew Beckert coming out.

SERGEANT decided to keep the heavy .45s holstered at his hips, even though before the end of his 25-or-so-miles walk, their weight would not be helping his tender feet. He stuck a finger in a pocket of his blue shirt and felt the lumps of sugar there. He would at least have that much nourishment—and he hoped it would be enough to keep him going.

With this hope he started climbing up the trail that Paleface had taken....

A long time later, after he had eaten all the sugar lumps, after the sun had reached the edge of the earth, and after he had stopped many times to pull off his boots to examine the raw blood-blisters on his wretched feet, Sergeant stopped once again without daring to sit down lest he lack the courage and energy to rise and trudge on anew.

Paleface, never a fast horse, because of his more-than-average weight, could travel at a pretty good clip nevertheless—and in the traveling had left a trail that Sergeant had no difficulty in following. Sergeant followed it because Paleface had traveled like a horse that knew the country and exactly where it was going. And it was in that fashion that Sergeant eventually found passage across Icepack River, across the meadows, and up the marked trail.

He was thinking to himself, too exhausted even to mutter aloud, *If only God lets me keep going, it may not be too late even now. If Beckert killed Dobe at the diggings and started back*

with his loot, he'll be so loaded down that he won't be able to travel very fast—and even if he gets past me, Buck will have reached Hangman's Tree with my message that should alert the town.

As he shuffled up the rutted grade he saw something move on the high, red skyline a half-mile up-trail. He dodged behind a boulder as quickly as he could, and waited with drawn revolvers. But as the noise came nearer and nearer, and Sergeant's eyes focussed more and more clearly, he stepped out from behind the boulder and shouted wildly—not realizing that, from pure release of tension, he was holding his guns overhead and pulling the triggers like crazy!

"Dobe!" Sergeant called. "Paleface!"

"Yup—and Corkscrew Berkert, too, Marshal. Danged if he didn't walk right into m'trap. And danged if ah wasn't happy t'see good old Paleface!"

Dobe Ellis was astride Paleface. The chunky roan, with its hammer-like head, was pushing periodically and vigorously, against the scrawny back of a man on foot who had his arms roped solidly behind his back. The man was Corkscrew Beckert, and the man said, as if relieved: "I'm glad you came, Marshal. These two are mean customers—awfully mean."

Sergeant had to laugh aloud, something he rarely did. But finally, he said, "Let's camp here overnight, Dobe. I expect a posse up from town before dawn, maybe. They'll be bringing my horse along, I hope—because I can't walk another step."

"Yuh been walkin' pretty good, Marshal, for a hombre who almost forgot how. It should be another thing t'make Sourdough rest easier in Boothill." Dobe Ellis dismounted and began making a camp-site. Paleface drove his goat-like skull into Corkscrew Beckert's cringing back again—and the greedy, murdering bartender came stumbling into Sergeant's ready hands.

★

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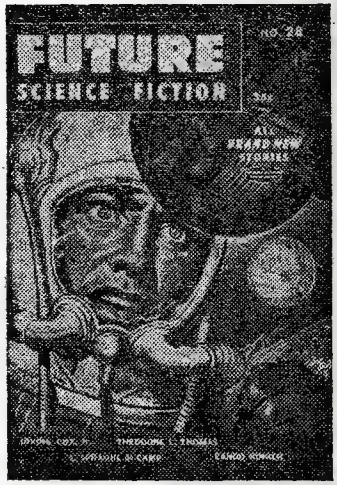

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★ SPECIAL FEATURE ★

MEN-- DO YOUR DUTY!

by Pidge Short

VIOLENCE was a natural part of the old West; it was also natural its interpretation should vary greatly with the different concepts of lawlessness and lawfulness that sniped at one another until legality was brought in to stay.

Lawlessness actually dictated the terms under which many of the old towns had their uneasy peace; so long as gunhawks were left to their own amusements, decency was tolerated. In fact, it got so bad up in Virginia City, along toward the end of 1863, that something just had to be done. This fact had been recognized for some time, but no one wanted to take the initiative, until a sound cause drove them to it.

The grumbling among the lawabiding folk of Nevada Camp, Bannack, Virginia City, Hells Gate, Alder Gulch, and surrounding areas had their final outrage the day Bill Palmer drove his scarred old buckboard into the main diggings and tied up with the stiff, frozen body of Dick Tiebalt rocking back and forth like a chunk of grey cement, in the back. It didn't take a

crowd of embittered miners long to gather around. They studied the spectacle of the dead man in silence. Puffy, grey and with a fringe of hoar-frost on his eyelashes, over the glassy coldness of the frozen, sightless eyes, Tiebalt had returned to the camp that had been wondering about him for several days. One miner used a stick to roll the corpse over with. The cause of death became immediately visible.

"Shot in the back of the head, by gawd!"

Poor Tiebalt undoubtedly would have preferred to live longer and serve as anything but a good cause for the Vigilantes to spring into existence; but he had no choice, and dead, he at least served a better purpose in dying than the many men who were destined to follow him, shortly. Anger raged through the diggings. Miners and cowmen from the out-ranges had finally had enough!

Palmer told the throng that he had found the body not far from a crude thatched hut belonging to Long John Franck. He had approached Franck—and a companion named George Hilderman, at the former's shack—after discovering the body, and asked for a blanket to cover it with. He had been refused the blanket and ordered off.

Still, in spite of their anger, the men were cautious. Close to two hundred men had been murdered since the first pan of gold was washed in the gulch. Moreover, crime was so triumphant and well-organized that renegades had well paid spies and sympathizers in every crowd. Even Sheriff Henry Plummer couldn't do anything. At least, he never *did* do anything.

The evening of the day that Tiebalt's body was brought in, several of the more idealistic miners and riders got together and discussed the situation. Out of their talk arose a grim resolve to fight the wave of murder and robbery to a standstill. Captain Jim Williams was elected head of the organization, which was named the Vigilantes. They even made up an oath that each man signed, in which he swore to stand by the others, keep all information, names and plans secret, and to wage relentless war against criminality in all forms.

IT WAS AN auspicious start, and the Vigilantes didn't return to the warmth of their homes when the night's work was done. Instead, they got to horse and descended on Franck's hovel, surrounded it in the early, bitter cold dawn, and sent in Captain Jim Williams. Franck, Hilderman, and several other outlaws were asleep. They were abruptly shaken awake and ordered outside. Indignant, Long John Franck was abusive and vociferous; finally, he asked what he was being arrested for.

Williams stopped outside the shanty and faced the renegade. "For the murder of Dick Tiebalt. Does that satisfy you?"

"No, by gawd; I'm not guilty of that killing."

"Then who is?"

"George Ives. He's back at the cabin now."

Captain Jim left Long John in the company of several Vigilantes, returned to the shack and arrested Ives, who offered no resistance. Then the self-appointed lawmen rode back to Nevada Camp, impaneled a hasty jury, backed up their jurisprudence with six-guns and carbines, and had a trial. It took three days to get a verdict, during which Ives unemotionally told how Tiebalt had pled for his life, then had finally asked to be allowed to pray. Ives said then, that as soon as he thought Tiebalt had been kneeling long enough, he placed his pistol against the man's head and pulled the trigger.

The jury was restless by the third day—and dry. They shouted a verdict of *"guilty"*, unanimously, and George Ives was led to where some eager cowboys had stuck a plank into the scaffolding of a building in process of construction, and yanked him up. Thus

passed the first of the owlhoot brood.

With the passing of Ives, the Vigilantes took on stature. They made up a motto of: *Men—do your duty!* The outlaws, who had ridiculed the outfit as a "bunch of miners a-horseback", began to stay out of sight, thinking the ruckus would die down. It didn't.

News came in that some of the renegades were holed up at one of their mountain hideaways, making merry. Immediately, the Vigilantes rode out in the teeth of a savage blizzard, each man carrying at least one six-gun, a rifle in a saddleboot, and—most significant of all—his lariat.

At Rattlesnake Creek, Red Yaeger and George Brown were picked up before they could spread the alarm. Brown was a known paid informer for the outlaws, while Yaeger was a hireling killer and robber. Faced with the silent faces over cocked guns, they surrendered without firing a shot.

But the Vigilantes wanted no repetition of the Ives trial. Too much time wasted, and too uncertain a verdict. They rigged up a kangaroo court on the spot, recited what crimes they suspected Yaeger and Brown of, pronounced the duo guilty as hell, borrowed the lantern from the prisoner's cabin and took the men to a nearby clump of cottonwoods.

Yaeger saw there was no way and made a wry face. "I've got this coming, boys. I don't like to go out, but—by gawd—I've got it coming all right. Anybody got a pencil?"

One was produced. "All right, boys; write these names down." He tolled off a startling list of the renegade brotherhood, including Sheriff Henry Plummer and his two deputies! The Vigilantes thanked Yaeger and assured him he'd soon have a chance to see his old friends; then yanked both him and Brown high. They turned and rode off into the howling blizzard of the night, leaving two wind-buffeted forms silhouetted against the low, black belly of the storm, swaying from a cottonwood limb. The rest of the bandits were gone when the visitors reached the camp, but the effect had been accomplished.

RIDICULE turned to fear. News of the merciless executions traveled fast. Fleeing riders headed south in droves. With the knowledge that Henry Plummer was a ringleader of the outlaws, it became obvious why lawlessness had been so profitable.

Johann Wagner, known as "Dutch John", was caught by a Vigilante roadblock. He was duly returned to Virginia City, questioned for better than half a day before he finally admitted participation in the crimes of the lawless band. He substantiated everything Red Yaeger had said, almost verbatim, adding a little on his own.

Satisfied, the Vigilantes dispatched "Dutch John" and were ready when several of them brought word that Plummer's deputies were seen leading a saddled horse toward the sheriff's residence. They immediately rounded up their fellow Vigilantes and surrounded Plummer's house in the dusk.

Captain Jim Williams went inside with several of his boys. "We've come to take you, sheriff!"

Plummer, who was getting dressed, nodded calmly enough. "Be with you in a minute; as soon as I've finished dressing." His coat was draped over the seat of a chair. Captain Jim motioned for one of the Vigilantes to get it. The man held it up for Plummer to slip into it, with a wry smile. Lying exposed on the chair seat were Plummer's two six-guns!

When Plummer was herded out of the house, amid the cries of his recent bride, he found his sweating deputies glaring at him from within a ring of cocked guns. The three of them were ceremoniously marched down the middle of the dirt road to the edge of town, where a gallows had been erect-

[*Turn To Page* 130]

THE OVERLAND PONY EXPRESS

★ SPECIAL FEATURE ★

by Lauran Paine

THE OVERLAND Pony Express, or California Pony Express, as it was frequently called, came into existence in 1860 and ended a year later, in 1861.

It had a brief and hectic existence, but stands in history today, as a crowning accolade to the merit, courage and wiliness of its riders, and their indomitable horses. For in all of its annual existence, schedules were religiously maintained outside of minor mishaps, except once, when the Washoe Indian uprising in Nevada forced a temporary discontinuance of service for several weeks.

The fact that the scheme was a financial fiasco doesn't alter its standing in Western history at all. Possibly to businessmen it might now, as it did then, seem vastly impractical; but at that time, when the gory sword of war was being unsheathed and the strife, tumult and friction of a new nation was often hanging by a thread, fast mail was essential—whether it was remuneratively rewarding or not.

Senator Will Gwin of California, by using diplomacy and persuasion, talked William H. Russell, of the mighty freighting company of Russell, Majors and Waddell, into backing a pony express system from the Missouri River to San Francisco, in California, which would prove that such a thing was possible and practical, all arguments to the contrary notwithstanding. Gwin's idea seems to have been to

prove that such a route could compete efficiently with the southern route used for the same purpose by the Butterfield Overland Mail concern, on a year-round basis.

William Russell knew the route projected, well. At that time his company was operating semi-monthly stage service between the Missouri and Placerville, on a thirty-eight day schedule—which, incidentally, was thirteen days over the same schedule run by the Butterfield people, over their southern route.

After setting up the pony express at great cost, riders were started simultaneously, from San Francisco, California, and St. Louis, Missouri. This was on April 3, 1860. From the first day the ride was started, until the snow and mud of winter made time losses unavoidable, the riders covered this great distance in from ten and a half, to thirteen days. Winter, of course required slightly more time; the schedules then went anywhere from twelve and a half days, upwards to seventeen days, depending on depth of snow, et cetra.

Mail rates were a flat three-dollars an ounce either way as far as Salt Lake, and for the entire trip, the rate was an even five-dollars a trip, one way. This source of revenue was the sole means of making the entire undertaking pay; and, while there was always a demand, and few riders ever left without full pouches, the load limitations couldn't begin to offset the original cost, nor the upkeep.

The horse-changing stations were established about fifteen miles apart. They had to have swampers and managers as well as extra gear and horses. Sometimes, these stations would be raided, and riders have been known to ride continously for eighty miles without relief for man or beast. The horses were selected for durability and speed, and consequently, were paid dearly for.

The pony expressmen themselves were selected with as much care as their mounts. They had to be small, wiry men with no excess weight, plus a willingness to eat each meal wondering if it was to be their last, and a knack for scenting Indians and highwaymen, and avoiding them, as well as being excellent shots while rocketing along on the plunging poop-deck of a running horse. Again, such men were not readily found; when beguiled into the employ of the pony express, they had to be paid well to remain.

THE ROUTE itself ran from St. Louis southwest for one-hundred and forty miles, then swung inland through the Kickapoo domain, past Seneca and Marysville, over the Nebraska-Kansas border at Rock Creek, then inland again to the Platte river at Fort Kearney. From here the route went along Platte to Julesburg, in Colorado, up Lodge Pole Creek to the over the Rockies past Fort Bridger here, to Fort Laramie, via South Pass Platte again at Mud Springs. On, from and down to Salt Lake.

From Salt Lake the route swung southwest beyond Black Rock, and entered Nevada at Deep Creek, then went on down to Carson City, and crossed the Sierra Nevadas and scrambled into California at Lake Tahoe. From Tahoe, the riders went down the American River to Placerville, where the horse and rider were freighted by steamboat down the Sacramento River and across the bay to San Francisco.

After this punishing trip, the pony rider was given a little time "off" to recuperate, then sobered up, as a general rule, and started back along the same route, heading inland, back to St. Joseph, in Missouri.

The killing pace was hard on man and horse both. Replacement was difficult and grew more so as the tale of blood and suffering spread. Bonuses meant little to men who wondered if they'd live to spend them.

The brilliant, daring and clever ruses

used by these men in avoiding slaughter by roadagents—and worse from their "red-brethern"—reads like a saga of delirious imaginings. Fortunately for the Russell, Majors and Waddell company, insurance was unheard of at that time; otherwise the likelihood of their ever getting the pony express started would have died aborning.

American private enterprise was becoming cost-conscious at that time. The repeated inroads made into their horse herds by rustlers, who knew the company bought and maintained only the finest available horse-flesh, were alarming. Also, there was the matter of massacred station attendants, and a dearth of those eager to assume the chores of the deceased. These things multiplied as the year wound to a close; and in spite of a Federal government that was sympathetic to subsidiary help, the final blow was delivered in March, 1861, when congress passed the bill authorizing daily mail service to California. However, the ponies still flew through their own waning sunset, because the time required to put the daily mail service into execution was long, and this service was not immediately available.

Through the long, sunblasted summer of 1861, with the world electrified by the raging Civil War, the pony express riders continued to dodge hostile Indians and ambushing highwaymen with their customary courage and daring; but the final act of the saga was even then in the making, for tinkerers were at work, successfully, with an altogether new medium of communication that was destined to revolutionize not only America and the West, but the world as well.

On October 24th, 1861, the first transcontinental message was dispatched and received with the speed no horse could begin to match. The Pacific Telegraph line was finally finished and the words sang over the nation that forever eclipsed the fleetest of the pony express rider's best time by a margin so wide it was incredible. Manifest destiny had dealt the final blow to the gallant men and the courageous animals who had laid a link in American growth; the Overland Pony Express bowed out, its work done, its classical records shattered beyond redemption, and its story of great men and great horses withering before the mechanical, impersonal efficiency of the "singing wires".

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LAWDOG'S GRIEF

by Zachary Strong

The trouble is, a deputy sheriff just can't afford to have personal feelings!

I'VE FOUND that there's considerable merit in havin' a peron o' "Lock" Lomond caliber at my flank in a tight. Didn't he win a foot race in San Lorenzo, one Fourth o' July, when a loss would 'a' sent me an' my herd o' cows to the poorhouse—on account o' all the bets I'd placed on him? An' didn't he locate our stolen rope horses—which we'd borrowed for carnival purposes—an' then fight his way, almost single handed, into possession of 'em? An' didn't he help me capture the three desprit jailbreakers from Golden City after they'd made prisoners of us an' were, we figured, on the point o' shootin' us? Course, as it turned out, the jailbreakers were a sheriff an' two deputies, who were out huntin' for the very men we took 'em to be—which was some embarrassin'—but Lock never weakened. Before he got through with 'em, he'd made those officers ashamed for havin' treated us the way they had.

Lock come natural by his fightin' qualities, speed, brains an' last name; but his front an' nicknames were wished on him. He was born a Lo-

mond, an' anxious parents called him Locksley—after some foreign party who had been a member of the family before it got to be Lomond. Wherefore he come to be knowed as "Lock," a city girl, at a Ringolade dance, dubbed him that after hearin' both monikers mentioned.

Lock has his faults, o' course; the principal bein' that he runs to raisin' horses—wild broomies—in the hills west o' the Rio Grande. I run my cattle in the river boskies an' tried to augur him into becomin' a cowman on account o' cows bein' less grief to handle. I had tolerable success in convincin' Lock that horses were a nuisance, but when he started talkin' about sellin' his broomtails an' stockin' his range with sheep, I felt called on to orate fast an' furious to unconvince him. We compromised by Lock agreein' to raise some saddle stock for me, an' I contracted to run a few head o' cows for him—which gives us some interests in common.

We also had meetin' places in common—mostly at dances in Ringolade. He'd ride down from the mountains an' ford the Rio Grande any day for a chance to shake a hoof; an' I was glad, equal, to ride the twelve miles north from my bosky ranch, through the sandhills, to these affairs, because it give me a chance to "rimfire" Lock for not havin' paid me a visit recent.

If I'd met Lock prompt when I arrived in Ringolade, the night when those Cubans played at the *baile,* Frank Knoblack, the Ringolade justice of the peace, prob'ly wouldn't 'a' found me before the dance began; an', consequently, I wouldn't 'a' been deputy-sheriff-ized. But, bein' engaged in pullin' on a pair o' new moleskin pants when Frank walked into the back room o' the dance hall, where I was changin' clothes—an' cussin' Lock for not showin' up—I didn't pay much attention to p'litical honors as they were bein' conferred on me. Frank just mumbled a few words about "maintainin' law an' order," an' pinned a deputy's star on my vest, which was hangin' on the wall. Then we swapped a few amiable lies, an' he left; he said he was headed for Las Palomas on the evenin' train.

I'll concede now that if I'd had the brains of a billy goat, I wouldn't 'a' exposed myself to any such hatful o' trouble. But how was I to know that a deputy sheriff couldn't perform his official duties without runnin' afoul of his friends' personal affairs?

Further, I don't mind goin' on record as statin' that a deputy sheriff had ought t' be a stranger in the locality where he's operatin'; then he can conduct hisself accordin' to his personal code. For instance: if y'u're at the home of a gent who runs his cattle on salt grass, an' the beef he feeds y'u has a strong sage-brush taste, no comments are in order if y'u happen to be a private citizen. But if y'u happen to be a officer of the law a public arrest or private funeral ensues if things are done regular, accordin' to oath, an' luck on the draw.

Lock claims that my trouble is that I've got a single-tracked mind—on which there's no contest whatever—though I augur him that I don't remember disturbin' any one-way traffic.

LOCK SHOWED up late at this particular *baile,* slim as usual, sassier'n ever an' shaved till his brown hide looked like it'd been sandpapered.

He was ridin' close herd on Maizie Wogan, of Chicago, who'd been spendin' the summer at Brad Porter's cow ranch, 'way back in the hills, right close to where Lock runs his broomtails. Mrs. Porter kept tellin' Lock, every few minutes, to see that Maizie had a good time—an' he was steppin' high, wide an' handsome in his efforts to be accommodatin'. So much so that I hardly had a chance to talk to him before

the "tag" dance that first taught me how official duties interfered with personal conduct.

Maizie was teachin' Lock some steps when "Highpockets" Jessup, our four-foot-ten-inch floor manager, announced this tag. Immediate, "Beef" Badger, a big, hairy, wolfish-lookin' cowpuncher who said he hailed from the Gila River, tagged Lock, thus deprivin' him o' Maizie. Lock, good-natured, returned the compliment in a minute.

They tagged back an' forth several times. Then Badger gets mad an' snarls, "Lay off me, while y'u're all in one piece." Whereat Maizie ducked under his arm an' beat it to a bench, not cravin' to referee the contest which she saw comin'.

I looked on, forgetful of official duties, hopin', like everyone else, that Lock would see fit to put Badger in his rightful place.

He did—with a right swing that appeared t' start from the floor. It stopped on Badger's jaw, which stuck out prominent like a new saloon in a church district, an' the mountain cowboy kept on goin' till his head collided with the end wall.

Lock followed him immediate an' waited for him to get on his feet again, remarkin' casual, "I'm r'arin' to be took to pieces. The sample I give y'u is gratis. Rise up an' knock me loose from the rest."

Badger's mind, I could see from the look on his face, was set for further adventure. I also noticed that his right hand was strayin' to his hip pocket—an' that act commenced my official career. Folks packin' concealed weapons is reprehensible in the eyes of the law an' I felt the responsibilities o' office heavy, knowin' that Lock's gun was in his leggin's pocket over at Jim Frazier's corral.

By the time I got to Badger he had his hand on the gun butt. I pried him loose as prompt as possible, pacifyin' him with statements that I was a deputy sheriff, an' that he was under arrest.

When the artillery was safe in my pocket I let him up, standin' between him an' Lock, who was considerable indignant both over my interference an' Badger's try at a gunplay.

"If they's any arrestin' done, it goes two ways. That bird committed assault on me," Badger declares.

That was a poser! Sure enough, Lock had rampsed on him plenty, but I didn't feel like puttin' one o' my best pals in jail just because he'd beat the enemy to a first wallop.

Maizie, who's recovered her nerve, come elbowin' her way through the crowd an' throwed up the first line o' defense before anyone else could get a tongue untied:

Mr. Badger committed the first assault. He slapped Mr. Lomond on the shoulder, last time he tagged us, so hard it hurt me. And after that he threatened—"

Maizie's dad is a lawyer an' I judged she knowed what she was talkin' about.

"Sure," I horned in. "I saw that, too, an' heard what Badger said. I don't reckon it's better'n a twenty-five to one shot that either of y'u could stick the other on a assault complaint—"

"I ain't complainin' any," Lock denies. "All I want is for you to let Badger do all the assaultin' his heart desires."

"Now you can that noise," says I, stern, "or I'll throw y'u both in the calaboose."

"Fine," Lock throws in with me, "if y'u put us both in one room."

"I won't," I tell him prompt. "I'll lock one of y'u in the bull pen an' the other in the jail office."

"Then all bets are off," Lock backwaters hasty. "I'll be good."

"Are y'u willin' to withdraw as a complainin' witness?" I ask Badger, feelin' that I'd got myself in a considerable mess tryin' to protect a

friend, legal, while maintainin' the peace.

"I am," snarls Badger, "if I don't get pinched."

"Aw, turn 'em loose," urges Brad Porter. "Let's dance some more an' quit arguin'."

"All right," I agree. "There'll be no arrests. Not now anyhow. But you boys have got to behave y'urselves."

The music started up at a signal from Highpockets, who I cornered in a hurry.

"If you call any more tag dances this night," I lay down the law to him, "the grayback in Ringolade jail'll dine hearty on about five feet nothin' o' floor manager charged with attempted murder, malicious mischief an' assault with a deadly weapon—the deadly weapon bein' y'ur mouth."

A LADIES' choice was announced 'long about half past eleven an' I rambled into the little office which had been partitioned off at the rear of the dance hall, so's I wouldn't be embarrassed by the flock o' pretty girls which I knowed'd crave my comp'ny for that number. Still, I wasn't so far off but what I could 'a' heard my name if it'd been mentioned in a tone louder'n a low whisper. Hearin' no such soft feminine voices up to the time the music begun, I rolled a cigaret to amuse myself with.

Brad Porter nosed in while I was lightin' up. He was full o' grins an' borrowed the makin's.

"Y'u'd ought t' see the way some of 'em's paired off," he chuckles. "Maizie chose Highpockets, who's a full eight inches shorter'n her an' they look like the Queen o' Spain dancin' with someone's little boy. Bill McFall—he's a good six foot four, ain't he?—was gathered by Jim Frazier's Mollie. I reckon she's about twelve an' small for her age. Helen (that's Mrs. Brad) spoke for Lock—she'd framed it that way with Maizie, plannin' to rawhide Lock to a fare-you-well over Maizie's new crush."

Brad had a grin or a chuckle about everythin'. When he run cows in the San Andres an' Blackleg cleaned 'em out, he said he reckoned the disaster was to teach him what a game little wife he had; an' didn't they have Buster an' Kitty to cheer 'em durin' the dark days? Then he moved into Ringolade with Helen an' the youngsters, got staked somehow in the store business an' was doin' fine till his pardner's Mexican wife fed all the profits to a flock o' canine insects with no hair an' copious appetites. Brad laughed that off, too, sayin' that cows was in the hills west o' Ringolade an' leased pretty near a whole township on nothin' but notes, nerve an' prospects. Then he talked the Ringolade bank into loanin' him the money to stock the range with Durham cattle.

There wasn't more'n a mighty few folks knowed how much Brad borrowed. If a bank examiner had found out about it, Larry Kedroe'd retired from bankin' prompt. The loan had been made only because Larry loved Brad like a favorite brother an' figured him as a hundred percent honest, besides bein' a good cowman.

I happened to know that Brad's note was long past due an' the interest hadn't even been paid. Larry was worried a whole heap an' was comin' down on Brad to shave the note by half, even if he had to sell some stock that wasn't ready for market, before it was renewed. Brad declared that meant the bank would have to go into the cattle business, since he hadn't had no calf crop to speak of the year before an' he'd lost more'n half the original herd by starvation an' rustlers.

Brad didn't tell Larry about his losses, an' Larry couldn't understand why Brad didn't make good with him. It bothered me some, too, t' understand why those Durham cows hadn't been raisin' families. The lady Here-

fords hadn't been complainin' about race suicide—an' with grass belly-high in most places on his range why should cows die from starvation? I judged that it was just Brad's luck, or else it was the cantankerous nature o' Durhams which causes 'em to pass out from Hunger where Herefords get fat. As for rustlers—I couldn't hardly imagine cow thieves so low they'd work on Brad.

Spite o' bein' flat twice within the past three years an' on the rocks now, here was Brad chortlin' like he didn't have a trouble in the world.

"Why didn't y'u stay in sight whilst the ladies was makin' their choices?" he demands, roostin' on a cracker box that groaned under his hundred an' ninety pounds. "Y'u might 'a' been chose."

"Oh, me," I told him sarcastic. "I was afraid they'd stage a fight over who'd have the honor. I know all about ladies' choices—I ain't one of 'em. Who's Gladys dancin' this one with?"

Brad scratched one shaggy eyebrow with a little finger an' looked down his weather-painted nose. "She's got this one with 'Happy' Merchat. She looked all over for y'u before the dance started."

"You're a lovable ol' liar," I grinned at him.

"Well if that's what I get for sittin' out a dance with y'u an' showin' y'u a good time, I reckon I'll be on my merry way," he opines, pretendin' to be peevish.

It wasn't more'n a couple minutes after Brad left till the music stopped an' I hear Highpockets' voice announcin', "The remainder of the Ladies' Choice will be a tag."

I MADE a jump for the door. That little wart was just tryin' to see if I meant what I said about no more tag dances. I didn't give many orders, but while I was deputy sheriffin' in those parts no half growed descendant o' Mr. Gulliver's pigmies could tramp on my official carcass an' get away with it.

I give a quick look to see if Badger had returned—he'd left a few minutes after his run-in with Lock—an' I located him over in one corner, mopin' an' lookin' surly.

Then my eyes lit on Highpockets, who gives me the glad eye.

As I started for him he screeched, "*Ladies'* Tag!"

I hesitated, judgin' this to be Highpockets' harmless way o' compromisin' when he saw that I had blood in my eye an', while I was hesitatin', Gladys come prancin' across the floor, han'-some as a yearlin' filly, clappin' her hands at me an' smilin' fit to vamp a Egyptian mummy. My official grouch left like mist at sunrise. She lied glorious about havin' hunted for me before the dance started an' wanted to know why I'd hid out when so many good lookin' women craved me for a pardner.

I wasn't deceived none whatever—not even when Maizie an' Helen Porter tagged me, stirrin' up quite a bit o' competition about it. It was all Brad's doin's. He'd seen that I was low in mind over bein' left out on Ladies' Choice, so he framed it with the girls an' Highpockets to cheer me up by makin' me think I was popular with the ladies.

When Brad slips past the Gates Ajar I reckon he'll find a permanent job waitin' for him. 'Less I'm a heap mistook, St. Peter'll put him to work cheerin' up folks that find they've staggered into the wrong place. If one o' these lost souls happens to be a good friend o' Brad's, no doubt he'd offer to go to hell for him. Brad's that sort.

Durin' the intermission which occurred right after the Ladies' Choice, Highpockets circulated 'round, collectin' dollars while the rest of us fortified ourselves with quantities o' chuck that had been imported from the restauraw. I throwed in with Brad's crowd an' Brad stirred up interest immediate

by claimin' that the musicians was Sandwich Islanders 'stead o' Cubans.

"I'll prove it to y'u," declares Brad. "These waffle-colored gents have been masqueradin' as Cubans since the Santa Fe detective took 'em off the brake rods this mornin'. Highpockets when he talked the detective out o' jailin' 'em in favor o' lettin' 'em play here at the *baile* tonight, was also deceived about 'em."

Brad led us over to one end of the hall where these lonesome jazz birds were waitin' for someone to feed 'em. They spoke only three words o' American, though they understood everythin'—specially pertainin' to food an' money—"Yes," "No," an' "I'll."

Says Brad to the musicians, when he was backed by a good audience, "Who'll have a sandwich?"

"I'll," shouts the rangy one.

"I'll," speaks up the short, skinny one.

"I'll," barks the one with the shiniest face.

"I'll," moans the fat one, rubbin' his prominent waistline, humorous.

"Yu' see," Brad chuckles, his red face fairly exudin' triumph, "they're Sandwich I'll—anders. Sandwich," he points at the one in his hands; "'I'll.'" he quotes the musicians.

The girls all laughed, specially Helen, who thought her husband was about the smartest man in the country. The men booted Brad around considerable, jeerin' an' hootin' at him. I felt someone pullin' at my coat tails an' looked over one shoulder to see Lock, who'd edged through the bunch.

He made a mysterious motion with his thumb aimed at the front door. I followed him.

"Badger's lookin' for more trouble," he whispers under cover of the general confusion an' noise, "an' I didn't want to cut up any didoes for fear o' bein' throwed in jail." Lock switched his nose east an' west, which he does 'stead o' grinnin'. "Besides, I thought y'u'd enjoy a good laugh by seein' what's goin' on. Badger won't either pay his dollar or leave the hall an' Highpockets is tryin' to put him out."

It was comical. Just inside the doorway, Highpockets, all bowed up an' sweaty, was goin' through the motions of ejectin' Badger from the room, but his hundred pounds o' indignation wasn't havin' much effect on the big boy's tonnage.

Then Highpockets rammed his shoulder into Badger's hip—that was about as high as he could reach—squallin', "Now you get out o' here."

HIGHPOCKETS was so little an' defenseless that it never occurred to me that anyone'd hurt him, so when Badger, scowlin' through a week's growth o' beard, slapped the runt a wallop that sent him reelin' against Lock, it put me on the prod immediate an' I forgot all about bein' a deputy.

"Drag Highpockets somewhere so he won't get stepped on," I tell Lock quick, an' made a dive at Badger.

The immediate result that I recollect most distinct is a large crescent moon that appeared sudden an' painful. I'd heard, when I was a kid, that the moon was made o' green cheese. That's all wrong. Folks hadn't ought t' teach their children that kind o' nature fakes. Cheese is tolerable soft. Nothin' so hard, before or since, ever disputed my right o' way.

I wrapped my arms an' legs around all the human anatomy I could gather an' had a sensation o' droppin' through space with frequent hesitations when my head an' body collided with rock ledges. When I struck bottom I wasn't much surprised to note that Badger had been my accompanist on the trip—which was down five steps an' onto the stone flaggin' outside—but it pained me considerable the way he was ridin' me with his spurs. Since that occasion no gent wearin' spurs has infested the same dance hall with me. I remember once when a party from

Magdelina continued dancin' after I'd spoke my piece concernin' spurs—but I wasn't there at the time.

Badger grabbed my ears with apparent designs on ruinin' the new sidewalk by knockin' my head against it, but I beat him into action by plantin' a fist in his Adam's Apple with most gratifyin' effect. He gargled an' turned me loose, but before I could turn a wheel, two uninvited persons stepped onto my frame in a most workmanlike manner.

It bein' mostly dark except as a little light filtered through the windows, I couldn't see very good, but had the advantage o' knowin' that whenever I landed, it was a hit for the home team, whereas they mistook each other for me a couple times.

I heard Badger say, "He ain't the one I wanted, but he's got my gun. Take it from him." Badger was circlin' the edges, there not bein' room for him on top o' me; but I knowed he wouldn't be idle for long, because I heard Lock's voice at almost the same instant.

"Stay with 'em, Dutch. We'll make 'em look anxious."

It sounded like angel music, soft an' soothin'—though I knowed the reason he wasn't talkin' loud was because he didn't want no one else honin' in to spoil his debate. Lock's selfish that way, he don't want t' share his enemies.

After Lock's arrival all that was required o' me as representin' law an' order was to keep out o' the way. With three enemies all crowded 'round within easy range, Lock was in his element, an' the only time he missed a swing was when one man was lyin' under the hitchrack, another kissin' the hard, cold sidewalk, an' the third, Badger, was reposin' in my lovin' embrace—havin' been knocked there solely because he was a poor judge o' distance. He'd thought he was too far away for Lock t' hit, not knowin' that Lock's arm is capable o' extension like a Spanish mule's hind legs.

Horses was snortin' an' r'arin'—several had broke loose from the hitchrack—an' folks come pourin' out o' the dance hall to investigate. From somewheres in the darkness, Highpockets rose up an' joined the crowd. Lock had shunted him behind a tree, he told me at a more favorable opportunity, threatenin' him with sudden death if he give the alarm—or if he stepped onto the scene o' action where he'd be sure t' get underfoot.

By the time Brad Porter, who was leadin' the investigation committee, arrived, I'd recollected my official position an' had Badger covered with his own six-shooter. Lock was ridin' herd on the other two, who didn't require any attention, apparently bein' comfortable where they laid.

"Who's hurt? What's the racket about?" Brad shouts at us like we was three miles away.

"Three gents arrested for disturbin' a peace officer," I inform him. "The Ringolade jail gets some customers this night."

Lock was havin' trouble keepin' his eye on both unconscious strangers while Maizie dabbed at his bloody face with her handkerchief an' tried t' put his nose on straight. So he drug the one from under the hitchrack an' rolled him alongside the other. He frisked 'em for guns, an' got two which I judge they'd been scairt t' use while business was so rushin', for fear o' shootin' each other—or else they didn't want t' attract attention.

GLADYS thought I was one o' the strangers for a second—my map had been altered some since the war began—but when she found out it was me, I was plum' helpless to protect myself against attentions similar to those Lock was receivin'. One o' my hands was engaged with Badger's collar an' the other holdin' the gun with

which I was massagin' his ribs. Gladys also thought that I kep' shiftin' feet frequent because my face hurt as she worked it over with wet handkerchiefs, but that wasn't the reason. Those spur tracks Badger had inflicted on my legs were a heap more painful than anythin' that occurred to my face, but it didn't seem the proper time t' mention it.

Badger commenced utterin' alibis why he couldn't go to jail that particular night an' inquired if someone present wouldn't go bail for him.

Brad spoke right up, "Sure, I'll go his bond, Dutch. Turn him loose. He says he's got a date in Las Palomas in the mornin'."

"I reckon he'll be keepin' a date with Judge Knoblack about that time," I interrupted. "There ain't no one in town that is qualified to accept bond. The judge went to Las Palomas, hisself, on the evenin' train an' won't be back till mornin'—which is why he appointed me a deputy; for that reason an' because Pete Serno is constabulin' at th' Mexican *baile* tonight."

I was glad of it because, bein' in the financial shape he was, it was doubtful if Brad's bond'd been acceptable—which would 'a' mortified him t' death. An' besides, why should this tough mountain cookie impose on Brad just because Brad was that big hearted he couldn't stand it to see anyone in trouble?

Brad was inclined to augur. "He's been punished plenty, Dutch. Y'u can exercise some discretion about not holdin' him."

"If discretion was all I had t' exercise I'd be in worse shape'n I am now," I told him final. "An' besides, I've exercised all I care to for this evenin'. He goes to the hoosegow, Brad, along with his friends, soon's they're ready t' travel."

Brad looked worried, at which I was considerable surprised. "Lemme talk to this bird," he asks. "I think I've knowed some o' his folks up in the Black Range."

"All right," I told him. "But hold y'ur conversation where there's clear space all 'round, because if he makes a pass at escapin', Colonel Colt starts talkin'."

Brad led Badger off to one side an' they talked in low tones. They stood in the light an' I kept the six-gun trained on Badger.

Brad turned my prisoner back to me in a minute, remarkin', "I was mistook. His kinfolk are all strangers to me. But I'd still consider it a favor if y'u'd turn him loose."

"Darn near anythin' to oblige y'u, Brad," I told him regretful, "but this Badger person is too frequent a customer an' his *compadres* need to be taught that Ringolade ain't a safe place for roughnecks."

"Why don't y'u let one of 'em go?" Brad suggests, eager, pointin' to the pair which had recovered sufficient to sit up. "Then he could keep Badger's date for him."

"If Badger'll tell me where he's got this engagement which is so important I'll telephone the folks that's expectin' him—which'd be as good as sendin' a proxy. Judge Knoblack appointed me to do some deputy sheriffin' tonight, an' I consider that the way these parties have cut up justifies me in jailin' 'em. If the judge when he gets back in the mornin', wants to accept bond, that's all right with me an' a entirely diff'rent matter."

I thought that was as good a way as any to get Brad to quit pesterin' me with his desires to do someone a favor.

Maixie laid off Lock while he collared his prisoners o' war an' led 'em off up the street. Badger seemed a heap calmed down, but wouldn't let me do any telephonin' for him.

At the jail door I started huntin' for the keys an', in a moment o' carelessness, lowered the muzzle of the gun which I'd had trained on Badger. In that instant he was at me like

a tiger. The gun went yonder an' I went to earth. It'd taken Lock an' me a couple minutes t' subdue the bunch an' when we tallied out, Badger was gone! But he'd gone so recent that we could hear his spurs clinkin' round the corner.

I just barely took time t' dig the keys out o' my shirt pocket where I could 'a' got at 'em in the first place if I'd remembered where they were, an' unlocked the jail door. Then I grabbed up my gun—or rather Badger's—where I could see it glitterin' in the moonlight, an' was on my way immediate, yellin' back at Lock, "Lock 'em up an' ride herd on the jail till I get back."

I'D MADE up my mind that I'd get Badger if it was the only official act I ever committed. He'd trifled 'round till he'd wore my temper to a wire edge.

I figured that Badger'd head for his horse an' I was right. When I steamed up in front o' the dance hall I heard gallopin' hoofs down the road. Inside, the Cubans were bearin' down on one o' those sobby tunes an' everyone, far as I could see, was havin' just as good a time as if Lock an' me'd been there t' help out. They were so much engaged with the business o' dancing that no one'd heard Badger make his getaway, horseback.

I adopted one of the prisoners' horses an' hit the road less'n a quarter mile behind Badger. I could trail him by the dust. When the road split at the edge o' town, there was no dust on the right hand branch. So I knowed Badger'd taken the sand road into the bosky.

Fresh tracks showed plain but I couldn't get much speed from my pony because I wasn't wearin' spurs —which was lucky because when I got into the bosky on a solid loam road again, the trees cast a heavy shadow an' I couldn't see any more tracks. I got down to study the lay —and there was no trail! Badger'd veered off the main road an' taken to the timber.

I rode back to where fresh footprints pointed the way an' followed cautious into the wildest part o' the bosky, keepin' track o' the course by broken branches principally. I run onto his trail twice in little parks where the impressions in the salt grass made him easy t' follow. This inspired me to a pleased grin. He wouldn't 'a' been travelin' in the open that way if he hadn't thought he'd shook off pursuit.

Still I didn't take any more chances than necessary of meetin' Badger unexpected. I was r'arin' to overtake him an' save my official face—but I was also wishful o' seein' him first an' savin' my personal hide.

The trail led direct as possible for Ramon Medina's deserted homestead, which consisted of a tumbledown hactel, corral an' five acres o' cleared land. I didn't attach any importance to it except that it'd make a good waitin' place in case Badger suspected someone was followin' him. Therefore I dismounted an' bellied along the ground till I was at the edge of the clearin' an' could look over the lay without exposin' myself.

First off I noticed that the corral was full o' cattle. Nothin' like that'd ever happened even when Ramon was livin' there. His specialty was beans an' milk cows, neither or both o' which could 'a' filled one side of the pen. I might 'a' thought someone was workin' bosky cattle an' had penned 'em for convenience, preparin' for the mornin's drive; but no such animals as these had ever populated bosky range—they were Durhams!

Bein' endowed with brains an' beauty in about similar and equal proportions, I'm tolerable apt t' play hunches 'stead o' doin' any heavy thinkin'. Here was a place, though, where I didn't even have to crowd a hunch. The whole thing was plum'

apparent an' didn't require any headwork whatever.

Badger an' his gang were the ones that had been stealin' Brad's livestock an' here was the rendezvous where they rested 'em on the drive from Brad's place to wherever their destination might be. Right here, I told myself, was where I could make my tin star pay some dividends to Brad!

By exertin' my brain a trifle I figured it out that the cattle was undoubtedly supposed to be movin' by now, but the hostilities in Ringolade had interfered. If Badger'd only made one trip into town an' got away smooth there wouldn't 'a' been a hitch. His cravin' for revenge, however, had led him back into the bosky for reinforcements—which, along with him, got captured—an' had certainly gummed the works considerable. Now that he was at large, all by his lonesome, it would be interestin' to see how he'd handle the herd.

I hardly stirred a eyelash. There was no doubt but that somethin' would occur in a few minutes that'd tell me how to act. If Badger was goin' t' move those cattle by hisself he'd have to be workin' fast if he was to get 'em out o' the country by daylight.

Then it occurs to me he couldn't move 'em by hisself without spillin' half of 'em. He'd have to have at least one assistant to work on a point; two more'd be about right to handle a bunch that size.

This gives me several pauses. Maybe he hadn't taken all his gang to Ringolade. He might 'a' kept one in reserve—which meant that I'd better prepare myself to take two rustlers into camp. It gives me some comfort to know that Badger didn't have a gun unless he'd picked it up mighty sudden somewheres. I was glad, too, that I wasn't wearin' spurs. I could move quieter without 'em—also I could move faster in case my presence seemed more desirable elsewhere.

A hat appeared at one corner of the hactel. It stayed there a second. Then Badger appeared underneath it. He peered in all directions. At one time he looked so hard at the point where I was lyin' that I thought, for a flash, he'd seen me. I was tempted to throw down on him, but I knowed that he'd duck behind the corner at the first sign o' danger an' be lost to me.

Then he eased around on the north side of the hactel to make further observations an' I judged the lay was as good as it'd ever be.

"Reach high," I spoke up.

He did so while he was still in the air. I don't reckon a man was ever much more surprised. He snarled a note or two.

"Walk this way," I requested, like the El Paso floorwalkers.

I didn't rise up till he was right at me. Then, with him between me an' hactel, I turned him 'round an' prowled him for weapons.

A six-shooter was in his hip pocket! On account o' his back bein' turned I gave the gun a one over—an' recognized it!

I don't know whether I was more interested in the gat or the words which Badger growled in tones that sounded like the lobo he resembled. "Come on out. This officious friend o' yours has got us jackpotted till hell won't have it."

From inside the hactel comes a sort o' groan which continued till the gent makin' it appeared in the open.

Spite o' bein' half way prepared, it made me plum sick when I saw him.

It was Brad!

TWICE on the way to town Brad tried to talk, but I shut him up. He rode alongside me, havin' promised he wouldn't try to escape; Badger was ridin' ahead with his wrists hogtied behind him. I wasn't takin' any more chances with that mountaineer.

[*Turn To Page* 114]

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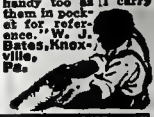

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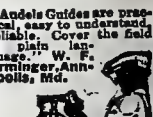

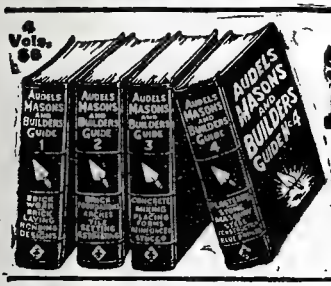

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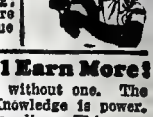

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Havin', as Lock says, a single-track mind, I couldn't spare time for thinkin' for talk purposes. I had to figure things out as a friend o' Brad's an' then do it all over again as a deputy sheriff. As a private citizen I'd prob'ly taken Badger's gun from him in the dance hall an' then let him an' Lock fought it out. That'd 'a' been all of it 'less Badger'd come back with his gang, in which event Blue an' me'd 'a' had our battle with 'em an' that would sure 'a' finished all complications.

As a official, I'd prob'ly 'a' turned Badger loose if I'd even suspected him o' bein' a friend o' Brad's—an' overlooked the peculiarity o' such a friendship. But I didn't know they had anythin' in common an' just supposed that Brad's interest in Badger was the same sort he'd show for anyone—stranger, crook or even a enemy, if he'd had one. Brad didn't have any enemies, though if he had had one who was out o' luck, Brad would 'a' gone down the line for him.

Then there was Mrs. Brad an' the kids to be considered. I was sure Helen didn't know anythin' about Brad's crookedness but asked to make certain.

"What does Helen know about this business?"

"Nothin'," Brad declares, proud. Then he hung his head. "This'll kill her sure, Dutch. I know how y'u're fixed. I ain't blamin' y'u none whatever. Y'u got to do what's required of y'u as a deputy, but if there's any way o' fixin' it so's Helen won't get hold of all the facts—"

He brightened up a trifle. "If I'd be found dead somewhere, mysterious, wouldn't that sort o' ease things up? It's a heap easier for a woman to see her husband buried than to see him sent to prison."

He meant it, too, but saw immediate that the facts would get known when it come to satisfyin' the note at the bank.

While my mind was singlefootin' on the personal side of the deal I wondered, "Why don't I let Brad escape or somethin' like that?" Which didn't get me nowhere. If I didn't include Brad in whatever arrestin' or lawin' was done, Badger'd spill the beans all over the country anyhow. Likewise if I released Badger as protection to Brad, his pals'd squeal. If I turned 'em all loose, the bank'd lose—no tellin' how much till I found out how many cattle'd been stole—an' Larry Kedroe was as much a friend o' mine as Brad. Besides that, Brad'd still be a crook even if he was free. So would I if I didn't do my duty. So would the others—but they didn't matter. They were strangers to me an' I didn't have any compunctions about jailin' 'em.

It was a sorry day.

THE DANCE was still goin' on when we got to Ringolade, as we could tell by the music an' lights; but we went up a side street an' arrived at the jail without anyone seein' us.

Lock was on guard. He said that Mrs. Brad an' Maizie had gone home with Gladys, takin' Buster an' Kitty with 'em. They'd got tired waitin' for us to get back an' come huntin' us at the jail where Lock had told 'em where I was, an' Helen made up her mind that Brad was prob'ly with me or else proselytin' 'round with someone that needed cheerful comp'ny. She'd told Lock to tell Brad, when he showed up, that she'd be waitin' up for him.

That made it worse yet. How'd I look, ramblin' in at Old Man Belden's about crack-o'-day to rout Helen out an' tell her that I'd arrested her husband for stealin' his own cattle with designs on defraudin' the bank, which had staked him in the time o' his greatest need?

Inside the jail office, which is separated from the bull pen by a two foot 'dobe wall, Lock lit the lamp an' started for the partition door think-

[*Turn To Page* 116]

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in' it was my plan to throw Badger in with his pals. He didn't know that Brad was a prisoner, too, an' I hadn't had the nerve to set him right.

"Wait a second," says I. "Cut those tie ropes off Badger an' let's sit down. We got a few things to talk about."

"The night's ruint," Lock mourns, freein' Badger's wrists, "so I reckon we might's well use up some more time though I did figure on gettin' Doc Swank to straighten out my face a trifle." He grinned at Badger, who looked at him stony-eyed. "We had a big time, didn't we?"

The room, bein' bare o' all abornments except a picture o' George Washington crossin' a river filled with floatin' ice, seemed cold, but no one thought t' build a fire in the stove. I settled down on the flat top' desk an' addressed the meetin':

"There ain't no use concealin' facts from Lock. He's as good a friend o' yours, Brad, as I am. He can do some thinkin' for y'u while I'm holdin' up the deputy sheriff's end of it. Brad's under arrest," I told Lock.

Lock looked at me cold for a minute, like he thought my p'litical honors had gone to my head. Then he looked at Brad, whose expression told him more'n I could 'a' told him in a hour.

"Shoot it," says Lock, meltin' a trifle.

I told him what'd happened an' how everythin' looked—to which Brad didn't enter any denial.

"Still," Lock augurs, standin' up to look through the window bars an' make sure no one was listenin' in, "let's hear from Brad how he come to get lined up this way."

Brad didn't whine any, though his face was pinched an' his eyes was pale while he talked: "It looked like Old Man Hard Luck was camped just ahead o' me on every trail I've traveled the last few years an' I made up

[*Turn To Page* 118]

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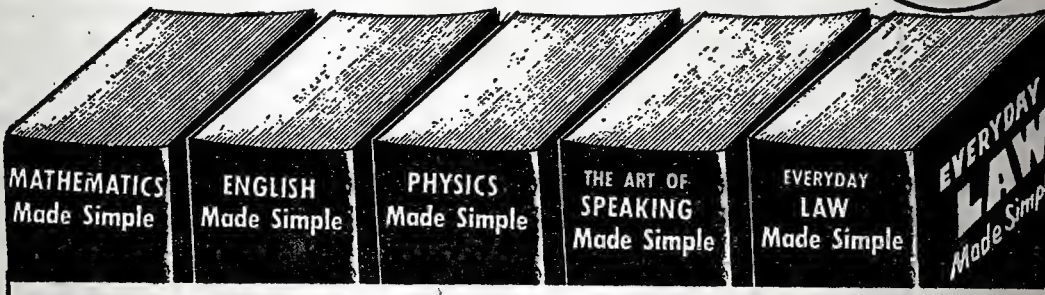

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my mind that I was goin' t' provide for Helen an' the kids before I went on the rocks again. Therefore, soon's I got my range stocked, I made arrangements with Badger, who I'd worked cattle with in the Black Range, to stash out seventy-five head o' Durham cows an' three good bulls in a bottleneck canyon on his range.

"I paid him good for his services an' also the two waddies that helped him on the drive, which was done under cover o' night. Didn't I, Badger?"

Badger nods his head surly.

"With that much of a stake I knowed that even if hard luck rode me to earth again, Helen an' the children wouldn't suffer as they'd done before. I'd planned t' send 'em on a trip if I saw the crash comin', so's they wouldn't know about it, an' then finance 'em with the proceeds o' the sale o' those stashed-out cattle till I could get on my feet again. Then I'd make good what I could at the bank. On the other hand if I made out all right an' Durhams was a success on my range, it wouldn't be much of a trick to throw the seventy-odd head back into the main herd again.

"They's no question but what I'd 'a' made the grade wonderful well if I could 'a' got Badger an' that pair in the bull pen to lay off me. But they had me hooked. The first time I caught 'em rustlin' my stock was about ten months ago. I see right away that I was helpless, an' they blackmailed me into lettin' 'em get away with the bunch they was drivin'. I couldn't hardly do otherwise. Then I tallied out on the q. t. an' found that more'n half o' all I had was gone. They'd been workin' on me for months.

"After that Badger an' his pals come to me with the proposition that they'd split four ways with me on what they'd stole, pointin' out that no fraud could be proved on me an' that the bank

[*Turn To Page* 120]

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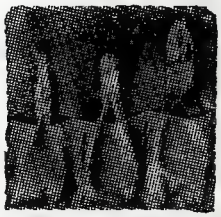

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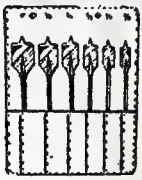

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would have t' go beggin' for its money since I didn't have anythin' else, outside the cattle, that they could come down on. That's why I spread that hard luck tale about stock dyin' an' no calf crop, preparin' a alibi for the blow-up which was bound t' come.

"They was into me so deep by that time that I had to take what I could get—they plannin' to hold the stock till after the bank'd declared me insolvent before makin' a clean-up in Colorado, Arizona an' Texas.

"After that they stole me blind an' I didn't dare make a squeal, though what I was goin' t' do was this: the first sale that was made I was goin' to put some official wise to the fact that the cattle had been stole. That'd lead to a investigation which'd eventually recover all that had been rustled an' the bank'd be in the clear—"

BADGER kicked his chair halfway across the room as he rose. Brad faced him with somethin' like spirit in his eyes.

Lock an' me rushed between 'em.

"Damn crook," snarls Badger quiverin'. "How'd y'u figure on gettin' away with that an' not goin' to prison with us?"

"I 'lowed," Brad told him smilin', "that if I told enough truth t' recover the cattle I'd take a chance on bein' believed when I denied y'ur story about me bein' implicated."

We had t' gather Badger by both arms an' back him into his chair.

"Now set there," I ordered, "or we'll take y'u down an' tie y'u up. I feel like talkin'."

"Tonight," says I to Brad, "I upset y'ur applecart by my deputy sheriffin'. With the cowboys in jail when it was necessary to drive those Durhams out o' the country before daylight, you was in a terrible tight; so

[*Turn To Page* 122]

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y'u slipped out soon's folks had sifted back into the dance hall, mounted up on one of the prisoner's horses an' beat it for the Medina place, plannin' to drift the herd across the Rio, an' head 'em for y'ur place in the hills. You knew they'd scatter an' wouldn't go home, but that some river cowman'd send word to y'u in a day or so about y'ur 'strays'. Then y'u could come an' get 'em without no questions bein' asked. But if someone run across a corral full o' y'ur stock, bawlin' an' hungry, it was a cinch that some amateur detective'd get to work an', without intendin' you any harm, he'd unearth a scandal that'd give cow country the Rock of Ages."

"That's it," Brad concedes, lookin' like a whipped dog. "An' about two minutes after I got there, Badger shows up with tolerable fair notions that he was pursued. I augured him into my plan of abandonin' the drive north. Then Badger went outside the hactel to make sure no one was thereabouts, takin' my gun with him—since I wouldn't 'a' fired a shot, an'—I reckon that's about all."

"Not quite," I told him. "When did y'u find out where those cows were cached?"

"I told him while we was talkin' private, just before y'u'd taken me to jail—the first time," Badger growls into his whiskers.

"That's what I thought," I started t' talk again, but Lock snorted through his broke nose an' it sounded like a stallion's whistle. I listened while he expressed hisself.

"You think! What with? All y'ur thinkin' is along official lines that get Brad more involved all the time. My understandin' is that y'u wanted t' figure some way t' get him out o' this jackpot an' do it so's no one'll get hurt."

"It is," I flared. "I never wanted

[*Turn To Page* 124]

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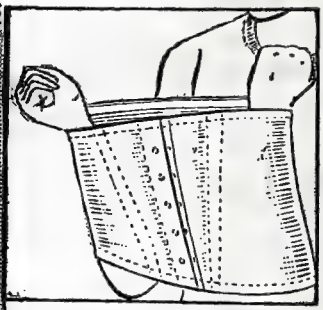

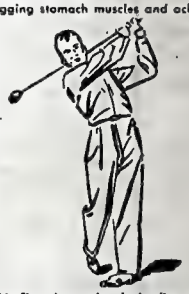

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nothin' so bad in all my life. But it can't be did."

"Yes, it can," augurs Lock, gettin' all het up with his ideas. "Brad told us how it can be done when he says that the rustled stock wouldn't be sold till after his disaster with the bank. Now if those brands haven't been tampered with—"

"They ain't," Badger horns in, seein' the drift. "I was goin' to get that brand registered in three states outside o' New Mexico an' then throw the cattle on the market without touchin' a runnin' iron to 'em."

"Then," Lock demands, "what's to prevent drivin' 'em back to Brad's range—"

"S'too late," moans Brad, who'd been inspired for a minute by Lock's idea an' my desire t' do anythin' that could be done; "Larry Kedroe's comin' out to my place next Tuesday to tally out my stock. He says he'll renew half my note if the security warrants it; but if it don't he'll be forced t' seize all I've got an' handle it accordin' to the bank's best interest. If I had all my cattle on hand it'd be a cinch. The calf crop *was* good, an' there ain't been a dozen head die from all causes put together—only there's over nine hundred head up yonder in the Black Range an' less'n four hundred at my place."

"Get Larry to put off his count till the last of the week," Lock gasps when he'd part recovered from the shock. 'Most a thousand head had been stole! They were sixty miles from Ringolade. That meant at least a day an' a half horseback to get there an' three days' ordinary drivin' to get 'em to Brad's. Moreover, they'd have to be returned with positively no one seein' 'em.

"I've stalled him off now for two months. A bank examiner is comin' any time now, an' Tuesday's the day Larry's comin'. He wanted t' come tomorrow—no, today; it's Sunday now.

Then he wanted to come out Monday an' I talked him out o' that."

I couldn't hardly believe it. Spite o' knowin' the wreck was that close at hand, Brad'd stood up under it cheerful at the dance an' even found time an' inclination to cheer me up by framin' that Ladies' Tag. He had nerve an' heart similar to which I never see before.

"Now you pay attention," I snapped at Badger. "We're goin' t' make the riffle somehow. You an' y'ur pals'll have considerable liberty in assistin' Lock an' me on this work, but if y'u run out on us we'll trail y'u till this tin star o' mine an' all the horseflesh in the country wear out.

"Brad, y'u're still under arrest, but I release y'u to y'ur wife. Y'u can frame any alibi y'u desire to explain y'ur absence from the dance, an' when Larry shows up Tuesday, conduct y'urself just as if y'u had a well stocked range. If y'ur nerve held tonight I guess it'll stand a trifle more punishment. We'll make good for y'u if it's possible. If it ain't, y'u're no worse jackpotted than if we didn't try."

FIRST, WE run Brad's corralful o' Durhams across the Rio, an' then, by the hardest kind o' ridin', we made it to Badger's ranch before sundown—Lock, Badger an' his two pals an' me. The five of us changed mounts an' drove the bottleneck canyon before dark, gatherin' a hundred an' fifty head which we started south with Lock an' Badger whippin' their tails. Lock was t' come back soon's the herd was strung out an' help get another bunch started, leavin' Badger alone to keep the stock movin' south—which was their natural direction. Meantime the rest of us'd have another bunch ready for the trail.

[*Turn Page*]

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We worked all night. Lock's nose stopped up so he had to breathe through his mouth an' he got chills an' fever. My eyes swelled so near shut that I could scarcely tell a bull calf from a three-year-old heifer; an' the two waddies, which we got strung out right after Badger, wasn't in much better shape. We'd sure punished each other considerable in the fracas at the dance hall.

Time passed in a hazy sort o' nightmare. We worked automatic, restin' the stock when they got too ringy to go further without grazin'. Each man watered his bunch twice an' had cleared away from the drink before the next arrived.

Tuesday evenin' late I'd circled my herd an' overtaken Lock, who helped me throw out bunches together. We crowded 'em to the limit till we'd overtaken the man ahead of us an' then left him on guard while we caught up with the cowboy next behind Badger. Him we sent to lend a hand to his *compadre* an' throw their stock in one herd an' pick up the drags left by Lock an' me.

When we fin'ly got to Badger, he already had his drive on Lock's horse-range an' we guided him to the fence which marked Brad's southwest boundary line. We took down a couple rods o' barb' wire an' oozed the leaders through. Directly, about daylight, here come the rest. They were so starved for water that about half of 'em couldn't wait t' go through the gap.

We fixed the fence, staggerin' all over each other with weariness an' pain. Lock looked so near dead I was scared about him; Badger's face was swelled up till he looked like he was sure enough wearin' a full face; my eyes was all colors of the rainbow an' stingin' as if they were full o' grass burrs, an' one ear felt like a cauliflower. The other pair give out com-

[*Turn To Page* 128]

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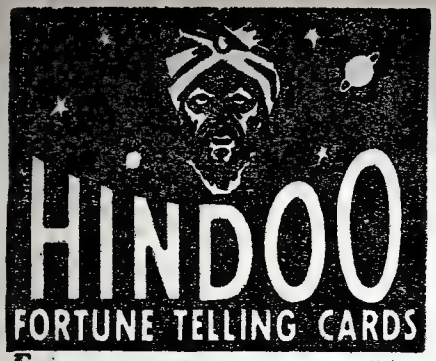

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plete while we was trompin' out cattle tracks, an' fell from their horses. The rest of us drug 'em back into their saddles an' held 'em there till we got to Lock's shack—a mile away.

Then we fell across each other like sticks o' cordwood, not botherin' to hunt us some beddin'.

BRAD COME bustin' in about noon an' separated us into neat little pilers o' one each. Then he woke Lock an' me. The others was still so dead to the world that a earthquake wouldn't've caused 'em to bat a eye.

Tears was streamin' down Brad's face. "Boys," he chokes, "Helen says 'God bless y'u.' I told her all about it. I say so, too. Larry started watchin' water yest'day mornin' an' counted cattle as they come to drink. At dark he'd tallied out three hundred an' forty-three head, an' I knowed that was all he'd ever count 'less you boys got through with the others.

"Nothin' more come up to midnight o'course, an' we went t' bed, but I couldn't sleep. Then, about crack-o'-day, I hear stock come clatterin' down the trail an' you better believe I woke Larry. After that they come so thick an' fast we couldn't hardly tally 'em out. I explained their bein' so g'anted by tellin' Larry that my stock traveled six or seven miles for the best grass an' most of 'em come in only every two or three days for water.

"The final count showed thirteen hundred an' seventy-six head, not includin' calves.

"Nothin' I can ever do for y'u," he says with eyes leakin' again, "will ever half-way repay—"

"All prisoners is hereby released," says I, groggy. "Bring us in a bucket o' water from the spring an' we'll call it square. I'm too feeble t' moan else I'd do it myself. Then go home. I crave rest."

[*Turn To Page* 130]

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I reckon he did so because a full water pail was sittin' beside me when I woke up late in the night.

When I rode into Ringolade to turn back my deputy sheriff's star, Frank Knoblack wanted t' know what had become o' the prisoners I'd arrested the night of the dance. Some local tongue talent had give him full information about the fight an' my official conduct.

"Lock Lomond," I explain, "was headed for the Black Range, where he figured on lookin' over some cattle, an' it happened those prisoners was the only ones in town that could guide him to where he wanted t' go. So he talked me into lettin' him have one as a guide; but the others raised such a row over my showin' favoritism that I had to chaperon the whole doggone gang on the trip so's not t' disappoint Lock. Then, they did such handy work that I decided they'd atoned for their assault an' battle—an' turned 'em all loose."

"Well," Frank opines, "y'u did great, Dutch, in cleanin' up the dance o' those rowdies, an' it was perfectly all right for y'u to release y'ur prisoners. A deputy's entitled to exercise some discretion."

"I'm glad o' that," says I, "because I certainly exercised it plenty."

"An' furthermore," Frank screws his whiskery face into a judicial expression, "I want that y'u should continue wearin' that star. With you an' Lock Lomond as deputies—"

"Lock is a ring-tailed Wampus at settlin' disagreements," I break in, "an' no doubt he'd make y'u a wonderful deputy. But as for me—I got t' thinkin' while on this trip: what if some friend o' mine should get into trouble while I'm deputy sheriffin'. I wouldn't know what t' do, bein' divided between my duty to him as a friend an' to the state as a official. So I reckon I'd better retire from office before I get into any such jackpot."

★

Men -- Do Your Duty!

(*continued from page 99*)

ed some time before. The deputies, named Stinson and Ray, were lifted high and let drop. Both died swearing obscenely at the men who had brought them to the "end of their ropes".

Plummer tried to talk the Vigilantes out of it, saw he couldn't and made a final request they were glad to grant. "Give me a good, clean drop, boys."

Plummer was boosted as high into the air as half a score of powerful men could lift him. The rope was made fast and the men jumped clear. He fell like a plummet, hit the slack and jerked up short. Henry Plummer's neck was broken instantly.

The last word Henry Plummer, like many others, heard on this earth was the signal used to let the victim drop. "Men—do your duty!"

After the ringleader's death, outlaw despotism went to pieces fast. Five of the outlaw pack were apprehended and hanged in one day; another time, four met the same abrupt justice. Peace and safety returned gradually. It had taken about five weeks of this desperate remedy to clean up the camps; in that time, twenty-one renegades were hanged. One of them, just before his leavetaking from earth, made the remark, "Ain't been an innocent hombre hung yet."

With the cleaning up of the camps in Montana, prosperity and peace moved in the wake of the terrible Vigilantes; and of all the martyred pioneers, none ever died for a better purpose than Dick Tiebalt.

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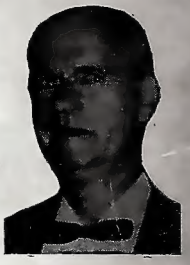

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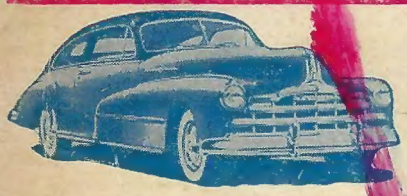

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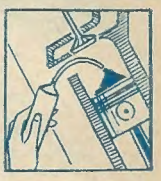

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Compression Readings—1945 Dodge Truck

	Cylinder 1	Cylinder 2	Cylinder 3	Cylinder 4	Cylinder 5	Cylinder 6
Before	87 lbs.	75 lbs.	75 lbs.	60 lbs.	75 lbs.	85 lbs.
After	100 lbs.	110 lbs.	115 lbs.	95 lbs.	105 lbs.	118 lbs.

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Compression Readings—1948 Pontiac

	Cyl. 1	Cyl. 2	Cyl. 3	Cyl. 4	Cyl. 5	Cyl. 6	Cyl. 7	Cyl. 8
Before	105 lbs	95 lbs	107 lbs	120 lbs	110 lbs	115 lbs	95 lbs	123 lbs
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